TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISMENTS) (ENGLAND) REGULATIONS 2007

Lidl, Manor Road, Hayling Island

Appeal on Behalf of Lidl (UK)

JPW0874
Lidl Hayling
Written Statement

January 2019

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INTRODUCTION

1.1 This statement has been prepared in support of an advertisement appeal by Lidl (UK), against the decision by Havant Borough Council to refuse advertisement consent for 1 No. double sided internally illuminated flagpole sign associated with the newly opened Lidl Store, Manor Road, Hayling Island. The application was registered by the Council under the planning reference APP/18/01050.

1.2 Planning consent for the erection of a Lidl store was granted on 8th March 2018 (ref: APP/17/00656). The new store opened in November 2018.

1.3 Following the granting of planning permission for the store, an advertisement consent application for the new store's signage was submitted to Havant Borough Council (ref: APP/18/00457) which comprised 2 no. internally illuminated fascia signs, 2 no. non- illuminated double-sided site entrance signs and 1 no. internally illuminated freestanding totem sign. A split decision granting express advertisement consent for the 2 no. internally illuminated fascia signs and the 2 no. non-illuminated double-sided site entrance signs but refusing consent for the 1 no. internally illuminated freestanding totem sign was issued by the Council on 28th June 2018. An appeal against the refusal of the freestanding totem sign was lodged and remains in progress (ref: APP/X1735/Z/18/ 3209843).

1.4 In response to the Council's concerns regarding the proposed totem sign, an alternative style sign comprising a double sided internally illuminated flagpole sign was submitted for consideration by the Council. The flag sign is proposed to be located at the same location as the (refused) totem at the entrance of the store and serve the same function. The new format sign is however used by Lidl were signs of less mass may be warranted where any design or amenity issues are raised by a Local Authority.

1.5 The 1 no. double sided internally illuminated sign was refused under delegated powers for the sole reason of:

> *1 "The proposed advertisement, by virtue of its size, design and level of illumination, would add an unacceptable level of clutter within the public realm and would have a significant adverse impact on the visual amenity of the area, by virtue of its visual prominence. The application is therefore contrary to Policy DM21 of the Havant Borough Local Plan (Allocations) 2014".*

1.6 A copy of the Planning Officer's Delegated Report and Final Decision notice is attached at **Appendix 1**.

1.7 The remainder of this section describes briefly the site and its surroundings. Further sections set out the relevant planning policy context and outlines the case for the appellant.

The Site and Surrounding Area

1.8 The Lidl store site extends to 1.16ha in size and comprises the newly constructed Lidl store which opened for business in November 2018. The building has a main northern elevation of 75.8m onto the proposed car park and a depth of 35.8m. A mono-pitch roof extends over the store and has a maximum height of 6.7m. A site location plan is included at **Appendix 2**.

1.9 The store has been positioned centrally within the site, with customer car parking to the north and eastern edges. A single new vehicular entrance to Manor Road has been created to enable customers and HGV delivery vehicles to access the site. Pedestrian and cycle access is provided from Manor Road in the north east corner of the site, with cycle parking provided at this point.

1.10 The site currently lies outside, but adjacent to, the defined urban area of Hayling Island, as defined on the adopted Local Plan Proposals Map.

1.11 Trees and woodland line the eastern, southern and western boundaries. To the north of the site is Manor Road, from which access is proposed. The site is in close proximity to the roundabout, which forms the junction with Church Road and the A3023. Church Road links the site to Mengham and Gable Head district centres, the main retail centre on the Island, which is located approximately 800m to the south. The A3023 is the main route to the mainland leading to a single road bridge onto and off the Island.

1.12 To the north of Manor Road there are agricultural fields and associated buildings and a small number of detached properties. To the south east of the site is a mix of residential properties, lining Church Road, which are within the defined Urban Area.

1.13 To the south of the site is a dense tree belt, beyond which is a mixture of agricultural land and The Oven Campsite. To the west of the site is woodland and beyond this is Manor Road. Further to the west are more agricultural land and a small number of residential properties.

1.14 The site contains no statutory landscape or built heritage designations. The woodland belt of trees to the south and east of the site are however protected by a Tree Preservation Order.

Planning History

1.15 The planning history of relevance to the appeal proposals include:

- APP/17/00656 - Erection of a discount foodstore with associated parking and landscaping and new vehicular and pedestrian accesses to Manor Road. Approved 08/03/2018.
- Request to Discharge Conditions 4, 5, 6, 8 and 18 (09/03/2018). Request to discharge condition No.3 (28.03.18). Approved 08/03/2018.
- APP/18/00352 - Application for non-material amendment to Planning Permission APP/17/00656 relating to location of cycle parking. Approved 24/05/2018.
- APP/18/00457 – Advert Applications for 2 no. internally illuminated fascia signs, 2 no. non-illuminated double sided site entrance signs and 1 no. internally illuminated freestanding totem sign. A split decision granting express advertisement consent for the 2 no. internally illuminated fascia signs and the 2 no. non- illuminated double sided site entrance signs but refusing

consent for the 1 no. internally illuminated freestanding totem sign was issued on 28.06.18. An Appeal (ref: APPX1735Z183209843) was lodged with the Planning Inspectorate in August 2018 and remains in progress.

PLANNING POLICY CONTEXT

1.16 In assessing the acceptability of the proposals in planning and environmental terms, consideration has been given to both national planning policy and development plan policies.

National Planning Policy Framework

1.17 The latest National Planning Policy Framework (NPPF) was published on 25th July 2018 and replaces the previous 2012 version.

1.18 The NPPF confirms that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning is expected to set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth taking into account both local business needs and wider opportunities for development (paragraphs 80-81).

1.19 On the issue of the control of outdoor advertisements, Paragraph 132 of the NPPF advises that:

"the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts".

Development Plan Policies

1.20 The content of an adopted development plan is a material consideration in the determination of all planning applications. The 'Development Plan' at present comprises the Havant Borough Local Plan Core Strategy (adopted March 2011) and Allocations (adopted July 2014).

1.21 As previously identified, the Proposals Map shows that the appeal site is located outside, but adjacent to, the defined urban area of Hayling Island. The Proposals Map also indicates that the site is within an area of Flood Risk (Zone 2 and 3) and is designated as an uncertain site for Brent Geese and Waders (although in determining the planning application for the Lidl Store the Council acknowledged that the site in fact had limited ecological value).

1.22 It is noted the Local Plan Core Strategy does not have any policies directly relating to the control of advertisements.

1.23 Policy DM21 of the Local Plan (Allocations) relates to the control of shopfronts, signs, security shutters and advertisements and outlines that:

"Planning permission will be granted for shopfronts, signs, security shutters and advertisements where:

1. *They are appropriate in size, scale and design to the character of buildings and their surroundings, including conservation areas, heritage assets and Chichester Harbour Area of Outstanding Natural Beauty (AONB).*

2. *They will not result in a cluttered appearance either on individual buildings or on the streetscene as a whole.*

3. *They do not have a detrimental impact upon public safety. In particular, advertisements and signs must not negatively impact upon highway safety for both vehicular and pedestrian movements.*

4. *The level of illumination proposed does not result in significant levels of light pollution and does not have a detrimental impact upon the amenity of the local area. In the interests of amenity and public safety, individually illuminated letters may be preferable over entirely illuminated signs"*.

1.24 Supporting paragraph 9.13 to the policy goes on to state that the impact of advertisements and signs can have a harmful effect if they are not carefully controlled. It is important to ensure that new signs do not result in a cluttered appearance on an individual building or on the wider streetscene. Signs must also be of an appropriate size and scale for the building and its surroundings.

THE CASE ON BEHALF OF THE APPELLANT

1.25 The issues of relevance in the determination of this appeal are considered to be:

- Appropriateness of the proposed internally illuminated flag sign at the site; and
- The proposals conformity with relevant national and development plan policies.

Appropriateness of the Proposed Illuminated Flag Sign at the Site

1.26 It is appropriate to note at the outset that in accordance with the advice set out in the NPPF, advertisements should only be subject to control in the interests of public safety (highways) and amenity. In terms of the appeal proposals, it is pertinent to note that no objections were raised by the Council's Highways Department, Environmental Health Department, Landscape Team or Urban Design Officers.

1.27 24 objections were raised by members of the public in relation to the proposed flag sign mainly in relation to its size and illumination. 15 letters of support were also submitted which recognised that having adequate signage to promote the store is important.

1.28 Given the reasons for refusal it is concluded that the only issue of relevance to the determination of the appeal is that of visual amenity.

1.29 In terms of highway safety, the proposed position of the flagpole sign is sufficiently set back from the edge of Manor Way and as such, there will be no impact upon highway safety. The Planning Officer at paragraph 7.9 of the delegated Officers Report also concurred with this view and confirmed that: *"The advertisement would not be positioned on the highway and as such would not impede pedestrian movement. It is considered that it would not result in an unacceptable additional level of distraction to motorists over and above the existing situation. In addition, the Highway Authority do not object to this application".*

<u>Impact of the Proposed Flag Sign on the Amenity of the Area</u>

1.30 The newly constructed Lidl store represents the main food store serving Hayling Island providing significant improvements to the quantitative and qualitative retail offer and employment benefits for the local population.

1.31 In granting planning permission for the store last year, the proposals where highly scrutinised given that they represented a departure from the Development Plan. In assessing the planning merits of the proposals, the Committee Report outlined at paragraph 8.2 that: *"on the retailing issue there are significant benefits in terms of retail provision. The proposal would improve the choice and competition of retailing in the area, an issue which the NPPF gives great weight. The store is expected to keep large numbers of shoppers on Hayling Island, who currently commute to the mainland and will therefore benefit the economic and retail role of the island"*.

1.32 In terms of the impact of the proposed store in visual and amenity terms, the Committee Report at paragraph 8.3 concluded that: "*Any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape*

impact of the development and overall the development would not unduly affect the character and appearance of the wider area. It has also been concluded that the development would not have an adverse impact on highway safety, both in terms of its impact on the surrounding highway network and providing safe access to the site". A copy of the Committee Report for the erection of the Lidl Store is enclosed at **Appendix 3.**

1.33 In terms of the justification for the internally illuminated Lidl flag sign, it can be appreciated, as with all retail enterprises including Lidl, companies require appropriate corporate signage in order to effectively direct customers into their site and to inform passing motorists and pedestrians of their presence, opening hours and the facilities provided in the store. The proposed flag sign seeks to provide this function for Lidl.

1.34 In submitting the proposals, Lidl carefully considered the location of the previously refused totem and the newly proposed flag sign within the context of the site and the surrounding area and believe that the chosen location is acceptable in terms of the two tests of highway safety and amenity. As such, the flag sign is proposed at the same location. It should be noted that the previous totem and flag sign are alternatives to each other - in the event that both appeals are allowed, only one sign will be erected.

1.35 In recognition of the visual amenity concerns that have been raised by the Council's Planning Officers and members of the public in relation to the proposed signage at the entrance of the Lidl Store, Lidl has tried to work with the Council and make concessions with the scale and size of the signage proposed at the entrance of the site but to no avail.

1.36 Initially, a 7.5m totem was proposed which was then reduced to a 6m version (proposals which are now the subject of an appeal). At the current time, a 5.9m internally illuminated flag pole sign is proposed as an alternative to the totem sign. The new format flag sign has been proposed by Lidl in order to reduce the size, scale and massing of the proposed sign compared to the previously proposed totem sign. Essentially the new style sign is similar to an older style illuminated Lidl flagpole sign that is still used at some of their older stores but with the addition of several panels below the logo which allows the store to display basic information such as store opening times and in-store facilities, which can be very useful to passing traffic.

1.37 The significant difference compared to the totem sign is that the flag pole sign only has corporate branding and store information at the top half of the sign under which the sign has no structure/mass and so allows full views under the sign, unlike the totem signs which are solid right down to ground level. As such, the perceived size and massing of the sign is reduced as the 'flag' element of the sign containing the Lidl logo and store information is some 2.6m off the ground. The delegated officers report at Section 3 concurs with this point and confirms that: *"in terms of the height and massing the new style [flagpole] sign is smaller than the refused totem and will allow views under the sign"*.

1.38 In terms of any impact the proposed flagpole sign will have on the visual amenity of the area, whilst it is recognised that the Lidl Store is located on the edge of the urban area, the site was deemed appropriate for the development of a new supermarket in visual amenity terms. As previously

outlined, the site is not open but well screened and so any perceived impact of the proposed flagpole sign will be largely localised to the site.

1.39 The proposed flagpole sign is proposed to be located on the north eastern corner of the site and will only be visible from Manor Way by traffic approaching the site from the east and west along the road. The belt of trees adjoining the eastern side of the site have been retained and will screen the sign from view by traffic coming north up Church Road. Currently Manor Way already has highways directional signage and street lightening to aid the movement of vehicles and cyclists who use the carriage way within its suburban setting. The existing highway is not a rural dark country lane.

1.40 It is noted that the Officer's Delegated Report places great emphasis on the landscape character of the surrounding area to justify why the proposed flag pole sign would create an unacceptable harm to the visual amenity of the area. Whilst we don't dispute the fact that the site is located on the edge of the urban area, the presence of the newly built store has now changed the character of this area. The flagpole sign is in keeping with the character of the Lidl Store and will not look out of place alongside it. The views of the sign are also localised to the area around the store and cannot be viewed from long distances. It is therefore considered that the proposed flag sign would not unduly affect the character and appearance of the wider area, as was the Council's conclusion in respect of the Lidl store itself.

1.41 To put the height of the flagpole sign into perspective, the maximum height of the approved Lidl store is 6.7m. The proposed flagpole sign is 5.9 m and will therefore be 0.8m lower than the maximum height of the Lidl Store. As such, when viewed from Manor Way, the flagpole sign will not look out of character or unduly effect the appearance of the area with the back drop of the Lidl store and associated car and cycle parking behind.

1.42 The flagpole sign is a simple design and apart from the Lidl corporate sign at the top, the remainder of the sign is monochromatic and therefore does not look out of place in the context of the site. The proposed flagpole sign will in no way 'clutter' the public realm or look dominant or incongruous in any way. These lower information panels will be grey with white lettering or logos illuminated from within. The only bright element is the Lidl logo lightbox at the top, which is similar in size and illumination to the facia signs the Council approved on the building.

1.43 As it stands, the proposed design and location of the flagpole sign has been carefully considered so as to allow it to fulfil its function of providing information to customers and passing traffic, while at the same time not have any significant impact on highway safety, residential properties or visual amenity.

1.44 At paragraph 7.8 of the Delegated Officer's Report reference is made to other Lidl stores in the county having non-illuminated signage. Lidl has confirmed that no such non-illuminated signage is available for new stores, nor can be commissioned. Any existing non-illuminated flagpole signage is only present on older Lidl stores where it has not yet been replaced. Notwithstanding the above, Lidl has worked hard to find and offer solutions of alternative format signage at the store given that Lidl's standard 7.5m totem was originally deemed unacceptable by the Local Authority. It is however considered that the reduced height, scale and massing of the proposed flagpole sign is an acceptable alternative in this location.

1.45 In terms of any impact on residential amenity, as previously outlined, the approved Lidl store site is well screened to the south, east and west by existing and proposed landscaping. Whilst there are residential properties located to the south of the site, they will not have direct views of the flagpole sign through the landscape screen. The proposals will therefore not have an unacceptable impact upon residential amenity. Again, the Planning Officer at paragraph 7.5 of the Officers Delegated Report confirmed that: *"There are residential properties to the south, however it is considered that the proposed adverts would have a limited and acceptable impact on the residential amenities of occupiers".*

Proposed Illumination

1.46 In addition to the visual amenity effects of the proposed sign, great emphasis is also placed on the perceived effect of the proposed illumination of the flagpole sign. As confirmed on the plans, the proposed illumination of the flagpole sign is 580cd/m within its brightest yellow section.

1.47 With regards to the illuminated signage, ILP guidance document PLG05 relates to the Brightness of Illuminated Advertisements 2014 and the guidance outlines that advertisements should comply with the following features, all of which the proposed Lidl signage meets:

- Static
- No intermittent light sources, flashing lighting, moving parts or features, exposed cold cathode tubing, animation or retroreflective material
- Illumination in a manner reasonably required to fulfil the purpose of advertisement.

1.48 Following on from above, the guidance confirms that within Environmental Zone E3 (Suburban), the maximum permitted illuminance from advertisements less than 10sq/m is 600cd/m. As previously confirmed, the proposed illumination of the flagpole sign will be a maximum of 580cd/m within its brightest yellow section. As such, the proposals meet the recommendations of the guidance. It should also be noted that the Lidl's car park is itself illuminated, and that there are existing street lights along Manor Road. Accordingly, the proposed flagpole sign is not expected to materially affect ambient light levels in the vicinity of the store.

1.49 In addition to the above, it is important to recognise that the proposed use of grey colours for the lower half of the flagpole sign will mean that the visual impact of the sign will be further lessened compared, for example, if brighter colours were proposed for the whole flag. It is therefore considered that the flagpole sign is an appropriate addition in the locality.

1.50 As previously confirmed, in terms of the control of the illumination, the appellant is willing to accept a condition limiting the illumination of the flagpole sign to the store's opening hours. The following wording has been used elsewhere at other Lidl sites*: The advertisement shall be fitted with a device that limits the illumination to hours of business only and it shall not be illuminated at any other time. Reason: In the interests of visual amenity".*

1.51 It is therefore considered that while the illumination of the proposed signage would not have any significant visual impact on the amenity of the area, it can if necessary be limited with an appropriate time-limit conditions.

Proposals Conformity with Relevant National and Development Plan Policies

1.52 The Council contends that the proposed scheme will be contrary to Policy DM21 of the Havant Borough Council Local Plan (Allocations) 2014 which says that the Council will seek to ensure that adverts are appropriate in size, scale and design to the character of buildings and their surroundings; that they will not result in a cluttered appearance; that they do not have a detrimental impact upon public safety and that the levels of illumination do not result in significant levels of light pollution.

1.53 From the evidence presented above, it is contended that the proposals accord with Policy DM21 of the Havant Borough Council Local Plan (Allocations) 2014. Lidl is proposing to erect a flagpole sign which is directly associated with its store's operation. When viewed in association with the new store, the single flagpole sign will not look disproportionate or out of character, nor could it be considered to 'clutter' the public realm. The proposed illuminance accords with recommended lighting levels and if deemed necessary, can be limited with an appropriate time-limit condition.

1.54 In the wider policy context, it is also considered that the proposal is consistent with the policy objectives of paragraph 132 of the NPPF. In particular, it is pertinent to note that no objections were raised by Council's Highways Department, Environmental Health Department, Landscape Team or Urban Design Officers over issues of public safety (highways) or amenity upon which the proposed advertisements must be judged.

1.55 It is therefore considered that there are no legitimate policy objections to the proposals.

CONCLUSIONS

1.56 It must be concluded that the appeal in respect of the 1 no. internally illuminated flagpole sign should be allowed.

1.57 The basis of the appellant's case is that no objections were raised to the advert application on the grounds of public safety (highways) or residential amenity. The main concern raised by the Council is solely in relation to the visual impact of the flagpole sign. The case set out within this written statement highlights the setting of the recently completed Lidl store within which the proposed flagpole sign would be viewed. Furthermore, the proposed flagpole sign can only be viewed from Manor Way from where the store is accessed.

1.58 Entrance signage, commonly in the form of a totem sign, is a common feature at Lidl stores across the UK, including sensitive sites such as ones immediately adjacent to Conservation Areas. Given the concerns raised through the planning application process Lidl has proposed a number of alternative signage formats including a reduced size totem of 6m (already the subject of an appeal) and now a 5.9m flagpole sign in order to further reduce the perceived visual impact at the site as it does not represent a solid structure from top to bottom thereby allowing views under the sign.

1.59 Following an examination of the development plan framework, the site and the appeal proposals, it is concluded that the appeal sign is not contrary to any of the relevant national or development plan policies.

1.60 The Inspector is therefore respectfully invited to allow the appeal subject to the imposition of appropriate conditions which could include the following:

- The intensity of the internally illuminated flagpole sign shall not exceed 600 candelas per square metre (cd/m).
- The advertisements shall be fitted with a device that limits the illumination to hours of business only and it shall not be illuminated at any other time.

Appendix 1

Planning Officer's Delegated Report and Decision Notice

Site Address:	Land South of Manor Road, Hayling Island		
Proposal:	1No. double-sided internally illuminated sign.		
Application No:	APP/18/01050	Expiry Date:	11/12/2018
Applicant:	Mr Mitchell Lidl UK		
Agent:	Mr Tookey RPS Planning & Development	Case Officer:	Lewis Oliver
Ward:	Hayling West		

Recommendation: **REFUSE ADVERTISEMENT CONSENT**

1 Site Description

The application site lies outside, but adjacent to, the defined urban area of Hayling Island, as defined on the adopted Local Plan Proposals Map. It is located within Flood Zones 1, 2 and 3. The site is approximately 1.16 ha in size, generally level and formally comprised a field currently used for grazing of horses. Vehicular access to the site is currently taken from Manor Road, and is located in the north western corner of the site. The southeast corner of the site adjoins the rear gardens of the dwellings on Church Road.

Trees and woodland line the eastern, southern and western boundaries. The northern boundary consists of a post and wire fence, hedgerow and a small number of trees. The woodland belt of trees to the south and east of the site are protected by a Tree Preservation Order. To the north of the site is Manor Road, from which access is proposed. The site is in close proximity to the roundabout, which forms the junction with Church Road and the A3023, Church Road links the site to Mengham and Gable Head district centres, the main retail centre on the Island, which is located approximately 800m to the south. The A3023 is the main route to the mainland leading to a single road bridge onto and off the Island.

To the north of Manor Road are agricultural fields and associated buildings and a small number of detached properties. To the south east of the site is a mix of residential properties, lining Church Road, which are within the defined Urban Area. To the south of the site is a dense tree belt, beyond which is a mixture of agricultural land and The Oven Campsite. To the west of the site is woodland and beyond this is Manor Road. Further to the west more agricultural land and a small number of residential properties.

The application site is currently being developed in accordance with the planning approval granted under application APP/17/0065. This development comprises the construction of a new Lidl retail food store with a gross internal ground floor area of 2,186 square metres (sq.m), which would have 1,340 sq. m. of retail sales floor space. The proposal includes further associated external works including customer car parking and a service area to allow for the delivery of goods to the store. The store has been positioned centrally within the site, with customer car parking to the north and east edges. The development is proposed to provide a total of 126 customer car parking spaces, with 10 being blue badge disabled, and 8 parent & child. These are located adjacent to the store entrance to provide easy access for users. A single new vehicular entrance to Manor Road has been provided, designed to enable customers

and HGV delivery vehicles to access the site. A pedestrian and cycle access is provided from Manor Road in the north east corner of the site, with cycle parking provided at this point.

2 Planning History

APP/17/00656 - Erection of a discount foodstore with associated parking and landscaping and new vehicular and pedestrian accesses to Manor Road (Approved 08/03/2018).
APP/18/00352 - Application for non material amendment to Planning Permission APP/17/00656 relating to location of cycle parking, PERM,24/05/2018
APP/18/00457 - 2No. internally illuminated fascia signs; 2No. non-illuminated double sided site entrance signs; 1No. internally illuminated totem sign., SPLIT Decision 28/06/2018:
2No. internally illuminated fascia signs; 2No. non-illuminated double sided site entrance signs - Permitted.

1No. internally illuminated totem sign Refused for the following reason:

The proposed totem advertisement, by virtue of its size, design and level of illumination, would add an unacceptable level of clutter within the public realm and would have a significant adverse impact on the visual amenity of the area, by virtue of its visual prominence. The application is therefore contrary to policy DM21 of the Havant Borough Local Plan (Allocations) 2014.

An appeal has been lodged with the Planning Inspectorate

3 Proposal

This proposed sign is an alternative to the totem sign that was included in Lidl's first advertisement consent application ref APP/18/00457, which was refused consent and is now the subject of an appeal. It is proposed at the same location as the previous totem proposal and is intended to serve the same function, but is a new style of sign that Lidl are just starting to roll out for their new stores. It is similar to older style flag type signs that Lidl used to use, but with the addition of several panels below the Lidl logo that can provide information on opening times and in-store facilities.

In terms of height and massing the new style sign is smaller than the refused totem and will allow views under the sign (unlike the totems which are solid right down to ground level), as the majority of the sign is located 2.6m above the ground, notwithstanding the attached beam to ground level. The overall height of the sign would be 5.9 metres, width of 2.1 metres and maximum depth of 0.31 metres. The proposal still has the Lidl logo on both sides of the upper section of the sign in the form of a thermoformed curved lighting box. The lower section would be finished with aluminium panels. For the purposes of comparison the previous Totem Sign considered under application APP/18/00457 had a height of 7.45 metres, width of 2.67 metres and maximum depth of 0.50 metres.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

Havant Borough Local Plan (Allocations) July 2014

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

5 Statutory and Non Statutory Consultations

Highways Engineer, Development Engineer
The Highway Authority have no adverse comment to this application

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: 21

Number of site notices: 1.

Statutory advertisement: Not applicable.

Number of representations received: 39

Comment	Officer Comment
Object to this application for yet another illuminated sign. The store already has 2 illuminated signs, one facing the direction that this sign will also be facing. Motorists and pedestrians can see the existing sign on the store, there is no need for a 2nd sign to pollute this area. The original planning application stated the illuminated signs were to be OFF when the store is closed, the current one is left on & the store is not open yet, they ignore planning conditions. This flagpole sign is too big and not necessary and should not be allowed to further spoil the area.	Comments addressed in the report.
We have already been asked our opinions on the initial Totem Sign for this development, thankfully it was rejected so why are we being asked again or rather why has the developer simply changed the shape of the sign	Comments addressed in the report.

and tried again? The reasons for not having the totem sign apply equally to this proposed sign, now the hording has been removed from the site and the full monstrosity revealed I can confirm that the giant LIDL sign already in position on the building can be seen all too clearly from the road and this proposed sign will not be any more prominent than the existing therefore both the developer and the Planning Department should be looking to minimise the light pollution impact on the site and refuse permission for this sign. The existing giant sign on the building already has a detrimental impact on the surrounding area by being illuminated even when the shop is not open - I repeat my comments from the last application - this completely inappropriate development was allowed because it would be a benefit to the local community, the building and it's branding is clearly obvious and local people are only too aware of it's existence so no further intrusive signage is necessary. This is not a retail park so further signage would be entirely inappropriate or do the planning department know something the ordinary people don't know about future development in that area? Objection to this proposed signage because it would have a negative impact on the surrounding street scene, is entirely inappropriate for the surrounding area and would have a detrimental effect with regard to further light pollution. Please do not allow permission for this or any other signage at this site and furthermore please consider restricting any illuminated signs on this development when it is not open to the public, this will not only have a positive effect on light pollution it will also indicate that the shop is not open which, if you consider the content on the proposed sign, is the only message the proposed sign attempts to provide to the public.		

The Lidl site is in a prominent position and cannot be missed, an illuminated sign is unnecessary. The Lidl site is at the most used junction on HI and an illuminated sign will act as a distraction for motorist travelling in a Southerly direction An illuminated sign will add to light pollution An illuminated sign is out of character with the surroundings An illuminated sign may add to the potential damage to the price of properties in the immediate area caused by the erection of a discount store at this prominent position	Comments addressed in the report.

15 letters of support received, with the following points:

Support this application. This store is a welcome addition to Hayling and is in a spot that will create a local focal point when arriving on Hayling at a central spot. It will be a case of turn right or left at the LIDL store when giving directions, so having adequate signage to promote the store is important, rather than relying in the fascia of the store itself which is more difficult to see as you approach. We see no downside apart from maybe slightly more light pollution, but surely not enough to refuse.

7 Planning Considerations

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

(i) Visual amenity
(ii) Highway safety
(iii) Effect upon residential amenity

(i) Visual amenity

7.2 The site is located outside the defined urban area of Hayling Island, and is located on one of the main highways on Hayling Island. As such it is a sensitive site, which currently has no commercial signage in the immediate area, other than highway directional signage, and is largely defined by residential properties, with the Oven Campsite located to the south west of the application site. It is acknowledged that signage is required to an extent in order to ensure the viability of that business. It is considered that the proposed fascia signs on the building and two directional signs at the entrance, which were permitted and are now in situ are an appropriate form of advertisements for the site, which are clearly visible for users of the surrounding highway network.

7.3 The internally illuminated signs on the building, which has recently opened to the public are relatively subtle, and form part of the overall building designs. In terms of internal illumination, as part of the application for the store, lighting plans were submitted which took into account the proposed car parking lighting and signage on the building. These plans indicated that lighting would be contained within the application site and would have a limited light spill into the countryside.

7.4 This application proposes a revised Sign located in the same place as the last application, i.e. the north-eastern corner of the site, adjacent to the proposed pedestrian and cycle access to the store. As has been outlined this proposed sign has been reduced in size, in addition to the bottom part of the sign being removed, to allow views through to the store. However, the sign is still large in size, and is internally illuminated, which has the Lidl logo on both sides of the upper section of the sign in the form of a thermoformed curved lighting box. In terms of comparison, the sign is the same height as the roof height on the northern elevation of the foodstore.

7.5 The application site is located within Landscape Character Area 31 'Central Hayling Plain ' of the Havant Borough Townscape, Landscape and Seascape Character Assessment which describes the landscape as "… A predominantly flat landscape slightly mounded towards the central area. Centrally the drainage pattern exists of straight manmade ditches which align some hedgerows, while others sit within the open agricultural plain. To the east within the area covered by rough grassland, the drainage pattern is more organic in form, forming a fringe of short channels feeding into the harbour..." In terms of openness/enclosure, prominence, visibility and tranquillity there is a particular reference to " An open landscape with blocks of trees and shrub vegetation screening and concentrated around farmsteads allowing long views across adjacent areas of the open arable landscape " and "In areas adjacent the A3023, tranquillity is reduced due to the heavy volume of traffic and the open nature of the landscape", and these extracts are regarded as a key local issue for the landscape character area, where the strategy is to conserve and enhance local character.

7.6 The key visual impacts of the totem sign would be from Manor Road, which is directly adjacent to the northern boundary of the site, and from the roundabout at the junction of Manor Road and Church Road. This part of the character type is also influenced by the surrounding residential nature of Gable Head and Newtown, with its character being typical of the urban edge and managed landscape, which is devoid of any form of commercial signage of the size and scale of the proposed internally illuminated totem sign. Although lighting columns, and street signs provide many existing vertical elements in these views, they are essential infrastructure for this junction, and an expected feature of the street scene for this area. The proposed commercial totem sign is considered unacceptable with regard to visual amenity. The proposed revised scale, colour and internal illumination, with its associated brightness of this modern illuminated sign, has not addressed the previous reason for refusal. It is noted that the size has been reduced in scale, however it would still be a prominent and obtrusive addition to the street scene, it is considered inappropriate for an advertisement of this nature and scale in this location on the urban edge area, and is considered to cause unacceptable harm to the visual amenity of this area by virtue of its visual prominence.

7.7 The applicant has sought to justify the sign and internal illumination by the presence of existing street lighting. However the street lighting is an expected feature for these roads, and are directed and angled in such a fashion to reduce light spill, and are of relatively muted colours. This is compared to the proposed bright yellow and blue external materials, which would be out of keeping with the area and emphasised by

the internal illumination. Furthermore anyone approaching the site westwards along the A3023 would clearly be aware of the pedestrian and cycle access when the store and its signage (attached to the store) would come into view, and would clearly be identifiable as a Lidl Store. In these views the revised sign proposal would be in a prominent position separated from the store. The Local Planning Authority have not been provided with any compelling evidence to show that the proposed sign would be likely to enhance the viability of that business. Neither this, nor any other matters raised are sufficient to outweigh the considerations which have led to the conclusions on the main issues. For the reasons given above, it is considered the proposed revised sign is still unacceptable.

7.8 The Local Planning Authority, sought to work with the applicant to explore alternative muted and non-internally illuminated signage. However the agent for this application has advised the Lidl do not have such alternatives available. However following research undertaken by the LPA, other examples of Lidl signage do exist throughout the country. It is unfortunate that these alternatives have not been considered on this site.

(ii) Highway safety

7.9 With regard to highway safety, the level of illumination proposed would be within the recommended levels contained in the Institute of Lighting Professionals guidance note 'The Brightness of Illuminated Advertisements' and is acceptable in this respect. The advertisement would not be positioned on the highway and as such would not impede pedestrian movement. It is considered that it would not result in an unacceptable additional level of distraction to motorists over-and-above the existing situation. In addition the Highway Authority do not object to this application.

(iii) Effect on residential amenity

7.5 There are residential properties to the south, however it is considered that the proposed advert would have a limited and acceptable impact on the residential amenities of occupiers. It is recommended that, if advertisement consent were to be granted, a condition would be added to any planning consent to restrict the illumination of the signs to the hours that the unit is open.

8. Conclusion

8.1 Upon full assessment of the submitted material supporting the application, it is considered that the proposed sign would impact detrimentally upon visual amenity, but not upon highway safety. Therefore the objectives of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and relevant policies of the Council's Local Plan have not been met and it is recommended that advertisement consent be refused for the sign.

---

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE ADVERTISEMENT CONSENT** for application APP/18/01050 for the following reason:

1 The proposed advertisement, by virtue of its size, design and level of illumination, would add an unacceptable level of clutter within the public realm and would have a significant adverse impact on the visual amenity of the area, by virtue of its visual prominence. The application is therefore contrary to policy DM21 of the Havant Borough Local Plan (Allocations) 2014.

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Lidl UK

THE TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 2007
Refusal of Advertisement Consent

Application Number: APP/18/01050
Site Address: Land South of Manor Road, Hayling Island
Proposal: 1No. double-sided internally illuminated sign.

Further to your application received on 16 October 2018, Havant Borough Council, as Local Planning Authority, **Refuses Advertisement Consent** for the above proposal.

The reason for the Council's decision to refuse advertisement consent is:

1 The proposed advertisement, by virtue of its size, design and level of illumination, would add an unacceptable level of clutter within the public realm and would have a significant adverse impact on the visual amenity of the area, by virtue of its visual prominence. The application is therefore contrary to policy DM21 of the Havant Borough Local Plan (Allocations) 2014.

In coming to it's decision the Council considered the plans and other documents submitted with regards to your application.

Other Important Information:

(1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning (Control of Advertisement Regulations). It does not relate to any application that may be required under the Town and Country Planning Acts, Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.

(2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.

(3) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit, and asked to consider alternative solutions in terms of a reduction in terms of size and scale. Furthermore it was advised that given the sensitive location internal illumination was not acceptable.

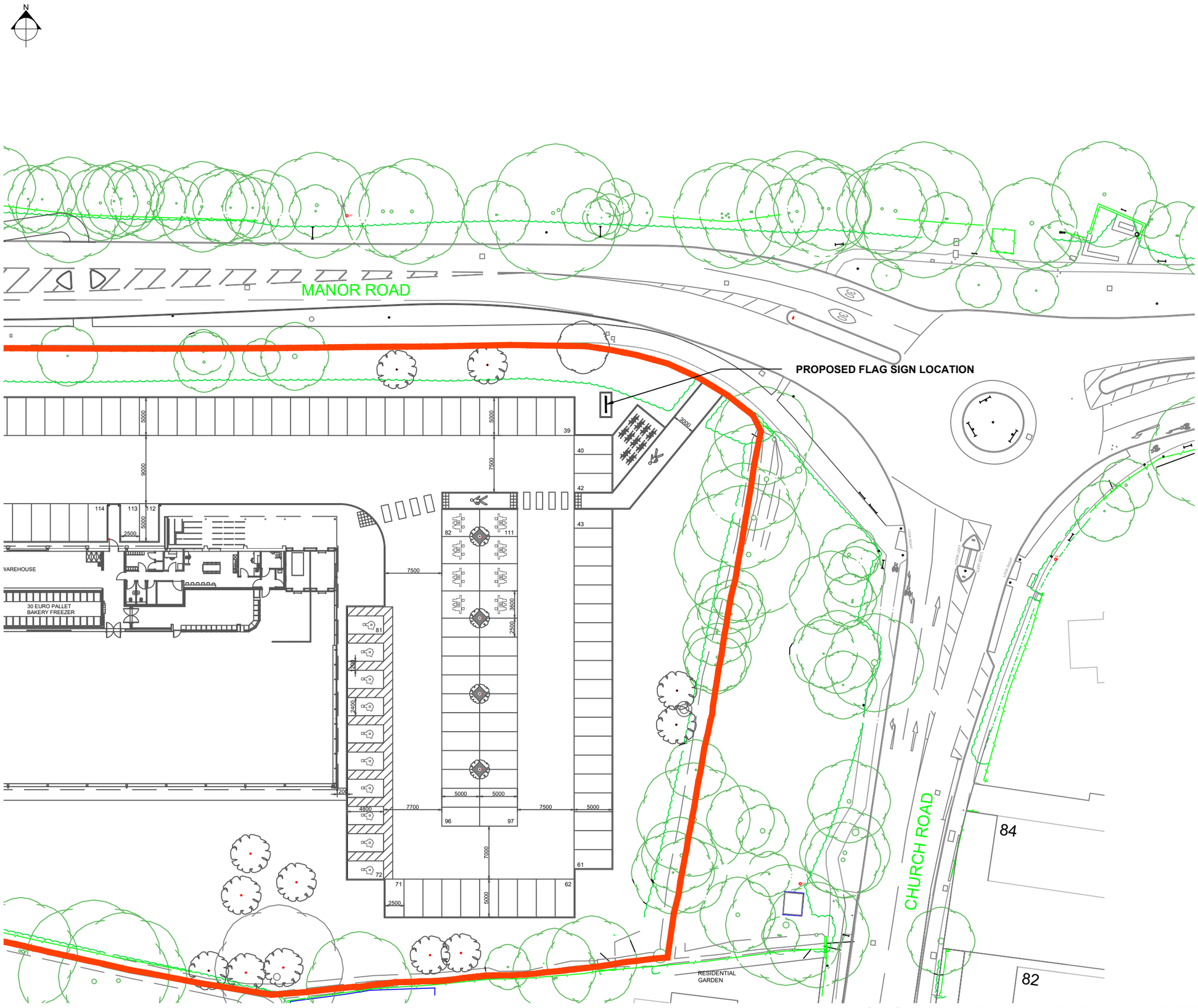
Simon Jenkins

Simon Jenkins
Head of Planning (East Hampshire and Havant)

06 December 2018

Appendix 2

Site Location Plan



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Project HAYLING ISLAND

Title SIGN LOCATION PLAN

Status	Drawn By	PM/Checked by
PRELIMINARY	GG	CT
Job Ref	**Scale @ A3**	**Date Created**
JPW0874	1:500	SEPT 18
Drawing Number		**Rev**
JPW0874-001		-

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Appendix 3

Lidl Store Committee Report

Site Address:	Land South of Manor Road, Hayling Island		
Proposal:	Erection of a discount food store with associated parking and landscaping and new vehicular and pedestrian accesses to Manor Road.		
Application No:	APP/17/00656	Expiry Date:	08/12/2017
Applicant:	Lidl UK GmbH		
Agent:	Lidl UK GmbH	Case Officer:	Lewis Oliver
Ward:	Hayling West		

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

HPS Recommendation: **GRANT PERMISSION**

Executive summary

This proposal is for the erection of a discount food store including associated parking and landscaping with new vehicular and pedestrian accesses (from Manor Road) on a site lying outside the defined urban area of Hayling Island.

The proposal has been subject to extensive review and consultation. Extended negotiations have taken place, along with research into previous proposals in similarly sensitive locations, resulting in the plans being significantly improved and amended to address concerns; revising the design, layout and improving landscaping.

Additionally, specialist reports were recommissioned to address concerns over some key issues - including landscape impact, trees, ecology, highways, flooding and drainage.

Full publicity has been undertaken on the initial and amended plans including consultation, notification of neighbours, site notices and adverts in the press.

The site is located in flood zones 1, 2 and 3 and the proposal includes significant flood mitigation measures in the form of additional flood storage basin capacity, and incorporates sustainable drainage.

To address concerns over pedestrian and vehicular access, revisions have been made to include the provision of a right-turn lane from Manor Road. A shared pedestrian and cycle access is proposed in the north-eastern corner of the site, in combination with additional cycle infrastructure in the form of a refuge crossing, a shared-use path along the site frontage on Manor Road and cycle connectivity to Havant Road and Church Road at the roundabout.

This application has been considered against both the criteria set out in policies in the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework (NPPF). In terms of the Local Plan the site is within the ‘non-urban’ area of Hayling Island. In such cases the NPPF requires a sequent test to assess whether any sites could be identified within the urban area. The sequential test did not identify any such sites..

The retail impact assessment carried out shows no significant impact on the vitality, viability and function of the Mengham or Gable Head district centres. The proposal would improve the choice and competition of retailing in the area, an issue to which the NPPF

gives great weight, which could be of real benefit to local residents.

Following consultation with the Highways Authority and Environment Agency it has been concluded that the development would not have a significant adverse cumulative impact on the highway network, and would provide mitigation and enhancements in terms of flooding and drainage. Furthermore, the development is not considered to have a significant adverse impact on the amenities of neighbouring properties.

Through considerable consultation and the subsequent amendments, the impact of the development on the character, setting and rural appearance of this part of the Island has been significantly improved, when compared to the original submissions. When this more sensitive design is considered in conjunction with the provision of retail and employment opportunities (thus enabling Hayling Island to be more self-sufficient) it is considered that the impact on the landscape, whilst altered, is not so detrimental when weighed up against the other material considerations as to warrant a refusal.

To conclude, in assessing the proposal (including associated evidence) against the adopted Local Plans and the National Planning Policy Framework (NPPF) it is considered that whilst the proposal is a departure from the Development Plan it meets the sequential test and represents sustainable development and is therefore recommended for permission.

1 Site Description

1.1 The application site lies outside, but adjacent to, the defined urban area of Hayling Island, as defined on the adopted Local Plan Proposals Map. It is located within Flood Zones 1, 2 and 3. The site is approximately 1.16 ha in size, generally level and comprises a field currently used for grazing of horses. Vehicular access to the site is currently taken from Manor Road, and is located in the north western corner of the site. The southeast corner of the site adjoins the rear gardens of the dwellings on Church Road.

1.2 Trees and woodland line the eastern, southern and western boundaries. The northern boundary consists of a post and wire fence, hedgerow and a small number of trees. The woodland belt of trees to the south and east of the site are protected by a Tree Preservation Order. To the north of the site is Manor Road, from which access is proposed. The site is in close proximity to the roundabout, which forms the junction with Church Road and the A3023, Church Road links the site to Mengham and Gable Head district centres, the main retail centre on the Island, which is located approximately 800m to the south. The A3023 is the main route to the mainland leading to a single road bridge onto and off the Island.

1.3 To the north of Manor Road are agricultural fields and associated buildings and a small number of detached properties. To the south east of the site is a mix of residential properties, lining Church Road, which are within the defined Urban Area. To the south of the site is a dense tree belt, beyond which is a mixture of agricultural land and The Oven Campsite. To the west of the site is woodland and beyond this is Manor Road. Further to the west more agricultural land and a small number of residential properties.

2 Planning History

2.1 None

3 Proposal

3.1 The proposed development comprises the construction of a new Lidl retail food store with a gross internal ground floor area of 2,186 square metres (sq.m), which would have 1,340

sq. m. of retail sales floor space. The proposal includes further associated external works including customer car parking and a service area to allow for the delivery of goods to the store. The store has been positioned centrally within the site, with customer car parking to the north and east edges. The development is proposed to provide a total of 126 customer car parking spaces, with 10 being blue badge disabled, and 8 parent & child. These are located adjacent to the store entrance to provide easy access for users. A single new vehicular entrance to Manor Road is proposed, designed to enable customers and HGV delivery vehicles to access the site. A pedestrian and cycle access is proposed from Manor Road in the north east corner of the site, with cycle parking provided at this point.

3.2 The building itself will have a main northern elevation of 75.8m on to the proposed car park and a depth of 35.8m. A mono-pitched roof will extend over the store rising from a height of 5.2m to a maximum height of 6.7m. The application proposes large areas of glazing on the eastern elevation. A small section of the glazing wraps around onto the northern elevation. The southern and western elevations mainly comprise white painted render with a low level grey plinth and metallic silver cladding above. Following discussions with the applicant the northern elevation, which is the principal elevation facing Manor Road, has been amended so that brick work is now proposed, with areas set aside to introduce some public art, to add visual interest to break up the northern elevation of the building.

3.3 The proposal will retain all existing trees and as much of the existing hedgerow as possible. Additional planting is proposed, which would provide an opportunity to supplement that which is retained and form part of a wider landscaping framework.

3.4 The proposed store is comprised of a rectangular sales area with entrance at one end, and servicing at the other. A storage warehouse is located at the rear of the sales area, served by a HGV accessible delivery bay. Staff welfare facilities are located adjacent to the store entrance with access to the sales and warehouse areas. Alongside the sales area are customer toilet facilities, and an instore bakery with its own dedicated preparation and storage facilities.

3.5 The application was submitted with a Design and Access Statement and Planning Statement, which provides a background business model of the applicant. This submission outlines that Lidl is classified as a ‘deep discount’ retailer and concentrates on selling a limited range of primarily own brand goods (around 90% of all products in store) at competitive prices. As recognised by the Competition Commission, the Lidl model and retail offer is distinctive and differs from mainstream convenience retailers within the wider sector.

3.6 The development proposes flood mitigation measures through elevating the levels across the site by approximately 300mm. An additional flood storage basin is proposed to the south and west of the proposed building, which would have a capacity for at least 200m³, this is to be installed to alleviate and mitigate the existing flooding downstream of the site. Surface water runoff is to be managed through a sustainable drainage system (SuDs) which would deal with surface water flows at the site. The drainage has been designed to accommodate a 1 in 100 year storm event plus 20% allowance for climate change.

3.7 The application is also accompanied by a wide range of information, which consists of the following:

- Retail Statement
- Transport Assessment
- Travel Plan
- Sustainability and Energy Statement
- Geo-environmental Report
- Flood Risk Assessment
- Ecological Assessment

- Noise Impact Assessment
- Lighting Plan
- Landscaping Plan
- Landscape Visual Impact Assessment (LVIA)
- Petition of 2710 signatures in support of the development

3.8 During the course of the application amended plans have been received, which have sought to address concerns raised by the Local Planning Authority, and statutory and non-statutory consultees. Furthermore updated Transport Assessment, Travel Plan and Flood Risk Assessments have been received to address the issues raised by the Highway Authority and Environment Agency. These changes have been subject to a further re-consultation period to enable members of the public to comment.

4 Policy Considerations

National Planning Policy Framework (NPPF) 2012

The NPPF states that in the assessment and determination of planning applications for retail and main town centre uses that are not in an existing centre and not in accordance with an up-to-development plan, local planning authorities should require:

- *A sequential test* (para 24) – this requires applications for main town centre uses to be located in town centres, then in edge-of-centre locations and only if suitable sites are not available should out-of-centre sites be considered. When considering edge and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should also demonstrate flexibility on issues such as format and scale.

- *An impact assessment* (para 26) – is required if the planning application for retail, leisure and office development is over 2,500 sq.m, or a proportionate locally-set floor space threshold. In accordance with the NPPF, this includes assessment of the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

- At paragraph 27 the NPPF states that where an application "fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused."

Havant Borough Local Plan (Core Strategy) March 2011

CS4	Town, District and district centres
CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS13	(Green Infrastructure)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)

DM23	Sites for Brent Geese and Waders
DM14	(Car and Cycle Parking on Development (excluding residential))
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

The Local Plan Housing Statement (LPHS) and its guiding principles, adopted December 2016, is also a material consideration with regard to matters regarding infrastructure provision on Hayling Island.

Havant Borough Council Parking SPD 2016

Havant Borough Design Guide SPD 2011

5 Statutory and Non Statutory Consultations

Planning Policy
Policy Status: The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan provide the development plan for the borough.
In addition, the Local Plan Housing Statement (LPHS) and its guiding principles, adopted December 2016, is also a material consideration.

Principle of Development:
A. Infrastructure in General
The uncertain nature of Hayling Island's infrastructure network is well documented, particularly the problems associated with the single access on and off the island. These concerns were more recently highlighted during the public consultation on the Draft Local Plan Housing Statement in the summer of 2016.
The section on ''Hayling Island Development in General'' is most relevant.

There are limited food shopping opportunities on the island. The 2009 Town Centres, Retail
and Leisure Study (produced by Nathaniel Lichfield and Partners) highlighted that 38% of Hayling Island residents did their main food shop on the mainland at the Tesco superstore in the Solent Retail Park in Havant Town Centre. In addition, Lidl conducted their own survey of shopper habits at the beginning of the year (2017) and found that out of 2,299 respondents, 81% undertake their main food shop on the mainland. The remaining 14% and 5% relied on retailers on the island and internet shopping respectively.

Therefore, the proposal for an out of centre location has to be weighed against the benefits which would be derived from having a larger food store on the island. This, in turn, would reduce the need to travel off the island.
The Council is currently producing an Infrastructure Delivery Plan (IDP) to support the Havant Borough Local Plan 2036. The plan will consider a range of infrastructure measures, including those which will help make the island become more self-sufficient rather than relying on access to facilities on the mainland. One of these measures is better access to services and facilities on the island; this includes retail.

Mill Rythe School is located to the east of the site. Over recent years, there have been a

number of issues associated with parking at the school during morning drop off and afternoon collection. The car park associated with the proposed store could provide an opportunity for short stay school parking to help alleviate the current congestion. The applicant is therefore encouraged to pursue this in collaboration with Hampshire County Council as Local Education Authority.

B. Outside of the Urban Area
The site is located on the junction of Manor Road and Church Road in the central part of Hayling Island. The site lies outside, but adjacent, to the urban area as defined by Policies CS17 and AL2 of the Local Plan. These policies seek to concentrate new development within the five urban areas of the borough. This follows the ''national presumption that development should be concentrated within the defined urban areas'' as outlined in Paragraph 8.02 of the Local Plan (Core Strategy).
Policy AL2 identifies land outside the defined urban area on Hayling Island as 'non-urban' rather than as undeveloped gaps.

Paragraph 2.10 of the Local Plan (Core Strategy) acknowledges that there are a number of established developments outside of the urban area on Hayling Island. At present, these mostly include established holiday centres which make a significant contribution to the borough's tourism offer and local economy. The proposal will be directly between and within walking distance from The Oven Camp Site and the Mill Rythe Holiday Village and will thus attract both holidaymakers and residents.

Moreover, Paragraph 2.10 of the Local Plan (Core Strategy) states that proposals that would enhance the above facilities ''will be encouraged providing that they comply with all other Local Plan policies particularly with regard to flood risk and nature conservation''. From the above, the location of this development in the non-urban area of Hayling Island is justified. This is because the proposal would meet an overriding public need and will support the already established nearby tourist facilities. The issues of flood risk and nature conservation (as outlined in the quote above) will be discussed later on in these Planning Policy comments.

C. District and Local Centres
Gable Head and Mengham is a district centre located in the southern area of Hayling Island as defined in Policies CS4 and AL3. Gable Head is about 800m away from the proposed site, where as Mengham is less than 1.6km away. In addition, the site is located 1.6km away from West Town Local Centre.
Paragraph 3.46 of the Local Plan (Core Strategy) gives a brief description of the Mengham/Gable Head District Centre:
''The twinned district centre of Mengham and Gable Head forms the principal shopping area on Hayling Island. The centre serves the needs of local residents many of whom have limited opportunities to travel off the island to shop. It also accommodates tourist trade in the peak holiday season. The centre's retail outlets are predominantly independent traders offering a range of comparison and convenience shopping''.

At present, the Mengham/Gable Head District Centre has two Co-Operative food stores and a Sainsbury's Local within its boundaries. A Tesco Express is found in the West Town Local Centre.

The National Planning Policy Framework (NPPF) refers to town centre, edge of centre and out of centre locations for retail development. For retail purposes, edge of centre is defined as a location within 300m of a centre boundary (see Annex 2: Glossary of the NPPF). As the proposal is, at its nearest point, 800m from the defined District Centre, it is identified as ''out of centre''.

D. Sequential and Impact Test
As this proposal is for a discount foodstore in an out of centre location, the process set out

in Paragraph 3.39 (Policy CS4) of the Local Plan (Core Strategy) will apply:
''All applications for the development of town centre uses and in particular new retail floorspace outside designated centres will need to demonstrate in a robust and transparent manner the application of the sequential approach to site selection, an impact assessment and all other relevant tests set out in current government policies''.

The National Planning Policy Framework (NPPF) sets out the requirement of Sequential Testing for town centre uses outside of identified town centres in Paragraph 24. Paragraph 24 of the NPPF states:
''Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.''

The National Planning Practice Guidance (NPPG) specifies that the NPPF sets out two key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accordance with an up-to-date Local Plan. These are the Sequential Test and the Impact Test. Nonetheless, under Paragraph 26 of the NPPF, an Impact Test is only required if the proposal is over 2,500 sq m. In this case, the scheme is below this threshold; therefore an Impact Test is not required. The applicants have, however, conducted an Impact Test in Section 7 of the submitted Retail Statement.

The NPPG goes onto state that:
''The sequential test ….. may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test.''

The Sequential Test is carried out in Section 5 of the submitted Retail Statement and considers other sites within and around the District Centre. These sites were discounted due to availability and size. The Council agrees with the conclusions of the assessment that there are no suitable and available sites within the District Centre or in edge of centre locations on Hayling Island.

In addition, Paragraph 8.19 of the Nathaniel Lichfield and Partners 2009 Study comments on the vitality and viability assessment of the Mengham/Gable Head District Centre which was carried out by the Council in July/August 2006. At the time, the assessment identified there were limited opportunities to accommodate significant retail development in the centre due to the physical constraints imposed by the close proximity of the surrounding residential properties.

Overall, the information and analysis presented justifies a sequential approach to the proposed location of the store outside of the urban area.

The NPPF and the PUSH Spatial Position Statement (June 2016) encourage a ''main towns and urban areas first, where possible'' approach with regard to retail development (see Paragraph 5.4 of the Spatial Position Statement). This is to combat the impact that inappropriate out-of-centre development can have on town centres. Nevertheless, as specified in Paragraph 3.6 of the submitted Planning Statement and Paragraphs 3.6 and 3.7 of the submitted Retail Statement, the foodstore Lidl differs from other convenience retailers as they do not offer a wide range of products.

As such, the proposal would not threaten the vitality and viability of the nearby businesses in the District and Local Centre as it has a limited product range (1800 products compared to the 35,000 products on offer at other retailers such as Morrisons, Tesco, Asda and Sainsbury's). Paragraph 3.7 of the submitted Planning Statement goes onto say that: ''*Lidl has always operated as a complementary retailer, with a significant proportion of customers also choosing to visit other retailers to fulfil their shopping needs''*.

Overall, the applicant has carried out a Sequential Test in accordance with the guidance set out in the NPPF and NPPG. This test is deemed sound and justifies the proposal of a discount food store in an out of centre location.

Transport:
The site is located off of the A3023 which is the main route to the mainland. The Stagecoach UK bus route 30/31 operates long the A3023, with current bus stops situated within walking distance from the site, i.e. near Mill Rythe School and The Oven Campsite. In addition, a pedestrian footpath runs along the north of the site linking it to Church Road. As such, the above is in accordance with Policy DM11.5.

Sustainable Construction and High Quality Design:
Criteria 3 of Policy CS14 states that on completion, non-residential development of over 500 sq m must at least meet the ''very good'' standard of BREEAM. As specified in Paragraph 7.30 of the Local Plan (Core Strategy), in order to meet the BREEAM requirements
''applicants will be expected to submit a statement of how this has been achieved as part of their planning application''.
Paragraph 5.53 of the Planning Statement highlights that ''the store will be designed to meet BREEAM 'Very Good', the level required by Policy CS14''. Section 12 of the submitted Design and Access Statement sets out more details of the design of the proposed building. In doing so, the section sets out how the proposal will focus on low energy consumption and sustainability. These are welcomed by Policy CS14; however, the policy specifically stated that a statement of how BREEAM standards will be achieved will be required. In the absence of this, the Planning Policy Team recommends the following pre-commencement condition if the scheme is granted planning permission:
Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Very Good against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

In addition, the following performance condition should also be included if the scheme is granted planning permission:
Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Very Good against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Recommendation:
The infrastructure benefits which would be gained from a food store on Hayling Island would help make the island more self-sufficient. As such, in Planning Policy terms there is no objection to this proposal in principle. Furthermore, the applicant has demonstrated compliance with the NPPF's sequential test and shown that there are no sequentially preferable sites within Hayling Island's town centres or in an edge of centre location.

Nonetheless, the criteria of the Policies specified above will need to be met and the conditions highlighted regarding BREEAM will need to be included in any planning permission which is granted.

Hampshire Highways
Highways Authority: Hampshire County Council objected to initial scheme.

Additional information has been submitted through a revised Transport Assessment and Travel Plan. This aimed to address the outstanding highway matters in relation to this application which included the following:

- Site access arrangements
- Traffic data and trip rates
- Trip distribution
- Road safety audit report
- Review of the level of impact in terms of additional traffic generated on the A3023 to 2036
- Confirmation of traffic flows applied to junction models
- Accident analysis in the vicinity of the site
- Review of sustainable access arrangements and appropriate mitigation measures for journeys by bus, pedal cycle and on foot
- Proposals to cater for school drop off facilities
- Travel Plan

Traffic Data
Additional survey data has been submitted and the flows demonstrate that Manor Road has a greater balance of two way flow than the remainder of the A3023. However the survey data has also demonstrated that the network peak hours for a week day on Manor Road are 08:00 to 09:00 and 15:00 to 16:00. At the weekend the Sunday peak hour of 12:00-13:00 is shown to be greatest with 569 two way movements compared to 11:00-12:00 on the Saturday which saw 534 two way movements.

It has been confirmed within the review of the Transport Assessment (TA) that generation of the trips and assignment to the network has been based on the proportion of residents living in Hayling West, East and North wards. This methodology is agreed by the Highway Authority, Hampshire County Council.

Trip Generation
The TA refers to a methodology for calculating trip rates which were agreed for a proposed store in Ringwood. However each individual application must be assessed based on its specific location and therefore trip rates for this application have been calculated based on the specific characteristics of the development proposal.

Trip rates have been agreed using TRICS data for the gross floor area of the store utilising recent updated survey information of sites of this type. This has reflected what are considered to be robust trip rates for the proposed development for the weekday morning and school peak hours as well as the Saturday peak hours.

When applying the forecast trip rates given the greater demand on a Saturday peak hour it is agreed that the Saturday network peak can be assessed with the forecast peak period from the TRICS outputs as set out within the TA review in relation to the site access.

Trip Type
The TA review has confirmed that all trips forecast to be generated from the development have been treated as ‘new’ trips within the network assessment.

Staff Trips
It has been confirmed within the TA review that staff trips to and from the store in peak times will be negligible and given the robustness of the assumed trip rates it is not considered that this matter needs to be addressed in any more detail.

Background Traffic Growth
The TEMPRO background growth trip rate has been revised to reflect forecast growth to 2022 with an agreed rate of 1.089973.

An assessment has been undertaken to 2036 of the site access and Manor Road junctions to determine the impact on the A3023.

Trip Distribution
Confirmation has been provided with the TA review that the distribution of trips to the store has been based on the percentage of population within each area. This is agreed and includes 53% from the east, 12% from the north and 35% from the west.

All trips generated from the site have been assumed for the highway assessment work as new trips and therefore the distribution methodology is agreed.

Site Access
A revised site access proposal has been proposed to include the provision of a right turn lane and additional shared use facilities to provide direct connectivity to the site. This has been shown on drawing number JNY9067-06 and the principle of these works are agreed.

Tracking for delivery vehicles turning left out and right in is however still a concern. Given the likely routing of delivery vehicles it is considered that this can be suitably covered by a planning obligation restricting the delivery vehicles routing through a Delivery Vehicle Management Plan.

Junction Assessments

The modelling undertaken for the peak hours demonstrates that both the proposed access and Manor Road/Church Road Roundabout are forecast to work within design capacity and deemed acceptable in modelling terms.

The operation of the junction and Manor Road/Church Road Roundabout are therefore considered to remain within design capacity and the development would not have a significant impact on the highway network .

Sustainable Modes of Access

Train
The position regarding travel by train has been maintained by the applicant. Census journey to work data asks for the main mode of travel which for residents of Hayling results in 3% of journeys to work to be by train. To apply this assumption however to trips to the proposed store when there are no rail facilities in the vicinity of the proposed site is illogical. The journey from the station is not walkable and therefore would be undertaken by bus, cycle or car. The percentage of trips should therefore be reassigned to a more suitable mode.

This matter however does not impact on the forecast traffic generation from the site but has some impact on the assessment of the accessibility of the location.

Bus
This matter has been considered further and as the bus stops are within the recommended 400m walking distance it is concluded that the additional stops does suitably serve the development site.

Walking and Cycling
Additional cycle infrastructure in the form of a refuge crossing, a shared use path along the

site frontage of Manor Road and cycle connectivity to Havant Road and Church Road at the roundabout has been agreed with the applicant. These works are shown on the site access drawing and shall be secured through the s106 agreement.

Personal Injury Accident Data
HCC have undertaken a review of personal injury accident data held and have concluded that there are no personal injury accidents in the latest 5 year period (1st September 2012 to 31st August 2017) within the vicinity of the site or proposed site access works.

School Drop Off Facilities
Whilst facilitating drop off and pick up within the site for the school could be beneficial, it is not considered a material matter that were it not provided would result in a an objection being raised by the highway authority. It is considered that the planning authority is best placed to explore the possibility of this facility with the applicant.

Travel Plan
A revised travel plan has been submitted. The Travel Plan now meets the minimum standards set out in HCC's "A guide to development related travel plans." The issues raised previously have been addressed in the subsequent new revision of the Travel Plan and it is considered acceptable for submission in conjunction with the proposed commercial / employment site.

Construction Traffic Management
Given the sensitive nature of the A3023 a construction traffic management plan will be required to ensure that suitable measures are put in place to manage mud on the highway, construction traffic, form of access and contractor parking.

Recommendation

Further information has been provided by the applicant and this has addressed all outstanding matters. Therefore the Highway Authority has no objection to the proposed development subject to securing the obligations and conditions.

Environment Agency
Objected to initial scheme, due to the absence of an acceptable Flood Risk Assessment and that the development would have increased flood risk.

Following the submission of additional information in relation to flood risk the Environment Agency removed its objection. The EA outlined that in line with the Flood Maps for planning that LPAs & the EA use to define the flood risk of a site, the proposal (red line boundary) at Manor Road incorporates all three flood zones and therefore you assess the development against the impact on the highest flood zone – in this case flood zone 3.

The applicant has undertaken work to provide a flood model to inform a site specific flood risk assessment (FRA). This model and FRA demonstrates that the site would not flood in a 1 in 100 (Flood Zone 3) event (not including allowances for climate change).

FRA modelling can show that a proposed development would be safe for its lifetime. Modelling of this kind, if deemed adequate, may provide enough evidence to demonstrate that a development can be progressed

As such given this further specific and extensive information the Environment Agency advised the Local Planning Authority that it now had no objection to this application, subject to the following condition:

Condition 1 – Flood Risk

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (24/03/2017) and the following mitigation measures detailed within the FRA:
1. The finished floor level of the retail unit is to be set no lower than 4.600m AOD as specified within Paragraph 6.1 of the FRA.
2. The car park surface is set no closer than 6.6m away from the Church Road drain watercourse, as specified within drawing 14501-01-DR01 within Appendix VII of the FRA.
3. The additional flood storage basin proposed in Paragraph 7.4 of the FRA is implemented and maintained.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason 1
1. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
2. To reduce the risk of flooding from blockages to the existing culvert.
3. To reduce the risk of flooding to the proposed development and future occupants.

Advice to applicant
In addition to any other permission(s) that the applicant may have already obtained, e.g. planning permission, the applicant may need an Environmental Permit for Flood Risk Activities (formerly known as Flood Defence Consent prior to 06 April 2016) as the applicant wants to carry out work in, under, over or near a main river and in the flood plain of a main river.

There are a number of elements of work which will require an Environmental Permit, such as the proposed new bridges, upgrading of existing bridges, resurfacing of existing right of way, proposed trees/planting and any other permanent or temporary works in under, over or within 8m of the Main River. For further information please visit:
https://www.gov.uk/guidance/flood-risk-activities-environmental-permits

Local Lead Flood Authority
Initial comments
Surface Water Drainage
We have reviewed the following information in relation to the planning application:
- Flood Risk Assessment
  We require further information/clarification on the proposals in order to provide a response:

We have some concerns regarding the 5l/s discharge rate as this exceeds the current green field rate of 3.27l/s and may exacerbate existing flooding issues downstream.

Given this risk, we will require further assessment to identify other options that would reduce the runoff rate to match green field rates or to undertake further investigation / modelling to demonstrate that downstream flood risk is not increased.

Comments on additional information:
Surface Water Drainage
We have reviewed the following information in relation to the planning application:
- Amended - Flood Risk Assessment And Suds Report - Part 1& 2 revB
- Revised/Full Appendix VII Of The FRA

The proposals for surface water drainage meet the current standards/best practice in relation to surface water drainage.

Engineering/Drainage
LLFA and EA will comment on drainage elements of this proposal.

Southern Water
Please find attached a plan of the sewer records showing the approximate position of foul sewer within the site. The exact position of the foul sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:
-No development or new tree planting should be located within 6 metres either side of the centreline of the foul sewer.
-No new soakaways should be located within 5m of a public sewer.
-All existing infrastructure should be protected during the course of construction works.

Natural England
No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

County Ecologist
The application documents include a Preliminary Ecological Appraisal (The Ecology Partnership, June 2017) and an Addendum addressing the issue of Solent Waders & Brent Goose Strategy sites. The application site comprises a horse-grazed pasture with boundary vegetation comprising woodland plus mature hedgerows with trees. It is not considered to be of particular ecological value, with all habitats being well-represented in the immediate landscape.

The proposals will not result in the loss of any trees and therefore the potential for impacts to species inhabiting trees (such as bats and nesting birds) is likely to be limited. The submitted landscaping strategy shows that areas of native tree and shrub planting, alongside wildflower grassland, will be used to buffer existing boundaries. The submitted lighting strategy (Phillips, June 2017) shows that for the majority of the retained boundaries lux levels will be in the region of 0-5. There are slightly higher levels along parts of the northern boundary, although these are away from any trees identified as offering bat roosting potential.

With the submission of the addendum report I am content that the site is not likely to be of importance for overwintering bird species associated with the nearby European designated sites. The site is small, disturbed and there is no indication that either waders or Brent Geese have ever occurred. In addition, the proposed use of the site would not raise any issues in respect to recreational disturbance impacts on the nearby European sites and would not therefore necessitate contributions towards the Solent Recreation Mitigation Partnership (SRMP).

In summary, I am content that ecological issues have been addressed to an appropriate level. If you are minded to grant permission can I suggest that a definitive ecological mitigation, compensation and enhancement strategy is secured by condition.

Arboriculturalist
The supporting arboricultural evidence is comprehensive and outlined in the following points:

Minimal tree removal is required to facilitate development as well as a requirement for some tree pruning works to facilitate works.

Provided that the methodology prescribed in the AMS & TPP report is strictly adhered to

and the site monitoring exercise is undertaken I would expect the retained trees to survive the development unscathed and to continue to grow on in the future.

Therefore I have no objections to this scheme in arboricultural terms.

County Archaeologist
The site is located immediately to the south of the medieval Priory of Hayling, while further finds of Roman and prehistoric material has been recorded in the immediate area. It is possible therefore that as yet unrecorded archaeological features associated with the Priory and with later prehistoric and Roman activity might exist within the application area. The historic map record of the site shows that it has been undeveloped over the past 150 years and so if any archaeological features do survive here, then they will be relatively well-preserved.

Therefore, while there is no indication that archaeology presents an overriding concern, I would advise that the assessment, recording and reporting of any archaeological deposits affected by the construction of the foodstore and the associated car park be secured through the attachment of a suitable condition to any planning consent that might be granted.

Community Infrastructure Officer
This development will be subject to CIL (rate £80 per sqm plus indexation appropriate to the date permission is issued).

Building Control
Public foul sewer located on the site, but appears to be over 3m away from the proposed building.
No further comments.

Economic Development
We welcome the new job opportunities but concerns about the effect this development may have on existing businesses on Hayling.

Environmental Health –Pollution
There are no contamination concerns, and the development is considered to have the potential to have a net positive impact upon traffic & air pollution at key locations on the A3023 through a reduction in the need to travel off the island to access alternative food stores of this type / scale.

Reiterate to ensure compliance with proposed SuDS to ensure that it is implemented as proposed, as there are areas of the site that carry elevated pollution risk (e.g. HGV unloading bay), where reductions in the degree of interception / capacity for treatment would be undesirable.

The TRICS data to support the original assessment, representing an improvement in data quality / robustness. Detailed traffic count data are similarly positive, confirming that flows on Manor Road are around -20% the previous best available estimate AADT flows. It is acknowledged that the junction capacity assessment used conservative assumptions as regards new vehicle trips, and that the inclusion of growth projections did not materially alter the result.

As previously indicated, the net impact of the development likely to be positive (in air quality terms), by reductions in trips further north on the local network. In this regard, whilst cycle route improvements would be seen as a positive measure contributing to

improvements to local air quality, it is difficult to justify pushing for improvements on the basis of 'mitigation of a negative travel impact'.

It does appear that there are policy measures which could be drawn upon to justify improvements suggested by HCC, without the need to rely upon mitigation of a negative impact as justification. For example, the LTP3 policies relating to the 'quality of life and place' may provide a useful basis upon which support for the 'park and stride' scheme could be required, or strongly encouraged. Local Policy DM11 (1) arguably provides an even stronger basis upon which such support could be secured.

The previous recommendations remain valid, and are comments unchanged (i.e. that the SuDS strategy be listed as an approved document to ensure that no 'downgrade' of pollution prevention can occur).

The application is supported on grounds of the net air quality benefits anticipated on sections of the A3023 north of the site.

Environmental Health
The information provided from Lidl's noise consultant has been assessed and the acoustic report appears sound and comprehensive discussing the relevant issues that such a development may cause. No further comment

Confirmation was sought with regard to the proposed ventilation system to be used in the store. Further information has been received from the applicant outlining that this would be identical to the Leigh Park store, and this is considered an acceptable approach.

Landscape Team
Initial comments:
The proposed screening planting to the south of the site indicated Silver Birch Betula pendula - whilst this is a native species a larger species such as English oak Quercus robur is preferred as its form will create a better screening for the housing to the south and will also replace the loss of the Oaks that were previously present in that location.

The additional mitigation measures in the LVIA state;
Consider additional native specimen tree planting, to match existing species where possible, for example Quercus robur, Acer campestre or Carpinus betulus as identified in the tree survey (Ref. JSL2697_750). In particular, along the boundary abutting the A3023 Manor Road. This will help to filter views from a local level and lessen the visual impact of the proposals, while maintaining views to the store, particular off the Manor / Church Road roundabout approaching from the east.

It is recommended that additional native planting is implemented within the planting scheme and further tree planting to the boundary along Manor Road is required.

The location for the cycle storage is deemed inappropriate, the 3 parking bays to the west accompanied with the surrounding vegetation will create a screen that could encourage potential bike theft and this could deter people from cycling to the proposed shop, which is contrary to Havant borough councils sustainable transport strategy.

Concerns that if these revised measures were not adopted then the development could have an adverse impact on the character and appearance of the area

Comments on revised plans

-With regards to the amendments to the boundary screening planting we are satisfied

with the inclusion of Quercus robur and assuming the planting is carried out in accordance with the submitted soft landscape proposal we have no further comments.

-felt that the newly proposed location for the cycle storage offers any improvement from the original location. Our concerns were in relation to the cycle storage being secluded and having a lack of visibility which could encourage theft / anti-social behaviour. Please find attached a marked up plan which indicates a suitable location for the cycle storage that will not have an impact on the number of parking spaces.

Perhaps an option would be two have two cycle storage locations on site with the majority located by the store entrance and some additional spaces in the original location. This would mitigate the issues raised in the original comment whilst ensuring that there is ample cycle storage facilities within the development.

Officer comment: *This matter is considered in detail in paragraph 7.60*

Traffic Management
The development should include 156 car parking spaces, only 128 have been proposed. The shortfall may lead to on street parking in the vicinity of the store.
As a result, if permitted, on street parking restrictions on these roads and on nearby roads will need to be considered and a Traffic Regulation Order (TRO) required to be undertaken on both.

The Traffic Team therefore request that, if permitted, that provision is made for a sum no less than £3000 (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 3 years from practical completion to ensure that any parking from the development does not interfere with the capacity, operation or safety of the adjoining local highway networks.

Police and Crime Commissioner

<u>Response to amended plans:</u>
The cycle parking for both staff and customers is shown on the proposed pedestrian / cycle access route from Manor Road close to the junction with Church Road. In this position the cycle parking is isolated from the store, which increases the vulnerability of the cycle parking to crime. Planning guidance advises “taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits etc.” To reduce the vulnerability of the cycle parking to crime I recommend that the cycle parking is moved closer to the store. To encourage the use of cycles the cycle parking should provide some protection from the weather. The staff will leave their cycles within the cycle park for long periods of time which will increase further their vulnerability to crime. To provide an appropriate level of security for staff cycles, an external secure cycle store should be provided. The cycle store should be fitted with cycle anchor points and internal and external lighting.

The proposal advises that staff will also be permitted to store their cycles within the food store itself. However, it goes on to say that no provision will be made for securing the cycles within the food store. Such an arrangement is not ideal. Therefore, I recommend that cycle anchor points are provided within the food store, which will allow the cycles to fall within the coverage of the CCTV cameras.

I note that there is now some provision for on-site staff car parking.

To provide for the safety of staff and customers, lighting within the development (including the cycle parking) should conform to the relevant sections of BS 5489:2013.

Officer comment – *The matter regarding cycle parking and associated safety is considered in detail in paragraph 7.60.*

6 Community Involvement

This application was accompanied by a petition of 2710 signatures in support of the proposal. However this report only considers and summarises those representations which were made as a result of the Council's statutory publicity procedures, these are detailed below.

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 both at the time of the original submission and following the receipt of amendments:

Number of neighbour notification letters sent: 658

Number of site notices: 6 and a further 6 to advertise the additional information

Statutory advertisement: 29/06/2017 and 20/10/2017

Objections: 183
The following reasons for objection have been raised in the representations:

Principle of development, social and economic

- Proposals contrary to NPPF and Local Plan policies as this is not sustainable development
- No need – existing facilities adequate and already exist on Hayling Island.
- Departure from Local Plan
- Fails community strategies
- NPPF says 'should enhance vitality', this development would damage existing district and district centres businesses/viability of shopping areas. Sainsbury's, Co-Op stores and independents would all close down
- Modern internet shopping habits means that new retail stores are not required
- Alternative sites in the district centres should be used first, such as the former Pullingers site - in combination with the adjacent allotments this should be built on first
- Profits will not be spent locally.
- Produce sold is not local and therefore is not a sustainable food source
- Lidl's would dominate market on Hayling – enough stores within short driving distance and good bus services to the main land. Therefore a retail store is not required on Hayling Island
- The UK is leaving the European Union, and therefore non-UK, EU businesses should be restricted
- Survey by Lidl's in terms of current shopping habits is flawed and biased.
- Will be catalyst for future housing development on green fields, particularly to the south of the site.
- This is building on one of the last green fields on the island
- An infrastructure review is currently being undertaken in the emerging local plan, this application is premature, as the findings have not yet been delivered. Therefore the impact on the infrastructure of the Island cannot be determined by this isolated application, which does not take into account the wider strategic context
- Will not create jobs, workers will come from elsewhere as shift work hours.
- Should disregard standardised letters of support, as the majority of this came from the deeply biased Lidl pre-application public consultation. Those who objected to the proposal were ignored and the written concerns have not been forwarded to the Local Planning Authority, although the letters of support have.

Highway/traffic

- Traffic/Roads/HGV's – Impact on environment by reason of significant extra traffic movements per week.
- The A3023 is the only access onto the Island, which is currently gridlocked, the extra traffic created by the development would cause mayhem, and put off holiday makers coming to the island.
- Not enough proposed parking.
- Pedestrian crossing will cause traffic delays, due to heavy footfall/people will not visit district centres after visiting store.
- The existing Manor Road roundabout is at capacity, with long queues during rush hour and school drop off/pick up times. This 'bottle-neck' would get significantly worse with this development
- Encourages car use and not sustainable development
- The volume of cars and commercial vehicles using A3023 is already way beyond the amount which was at first visualised.
- People will not walk or cycle with heavy shopping bags.
- Emergency services will struggle to attend many incidents on either road due to the amount of vehicles 'held up' in both directions
- In term time traffic and parking associated with Mill Rythe Schools causes significant harm to the safety and free flow of the highway network. A further development would create traffic misery and create significant traffic pollution
- The transport infrastructure on Hayling Island is currently being reviewed in the new local plan. Until this is completed and enhancements are made this application should not be permitted, as the overall strategic impact on the highway network cannot be fully assessed.

Environment/amenity

- Next to protected trees – Impact on wildlife/environment, loss of amenity.
- Design out of character with historic area/why do they need to screen it?
- Adverse impact on residential amenities of dwellings in Church Road
- Adverse impact on Oven Camp Site
- Design does not respond positively to character and appearance of the historic features of town/would be an eyesore.
- Will eventually lead to one big urban sprawl.
- Detract from important public views.
- Light pollution
- Litter
- Adverse impact on Area of Outstanding Natural Beauty
- Health issues from air pollution

Drainage and Flooding Issues

- Havant Borough Council must be certain that the local drainage system will be able to handle the proposed development.
- Exacerbate existing drainage problems. Site is in Flood Zone 3 prone to surface water flooding and this is only going to get worse with climate change putting other properties at risk, development should not be located in these areas due to sequential test requirements.
- Who is going to compensate households who are flooded again when natural drainage is reduced due to the development proposed.
- In recent years frequent flood events have been caused by a combination of fluvial and high tides, and led to Hayling Island being identified as a priority area by the Environmental Agency. The adjacent roundabout has been flooded on a number of occasions.
- The revised plan does not provide an environmentally sensitive plan for ground and flood waters.
- SuDs can lead to poorer water quality downstream

Supporters: 489

The following reasons for supporting have been raised in the representations:

Policy, social and economic

- Need to look to the future – growing population another retail store is needed to keep up with daily demands of an ever expanding Island.
- Some shops already closed/closing, in the district centres
- Local jobs created/will create local employment opportunities
- Small shops do survive elsewhere. If the services are good, people will use them.
- It is questioned how many people actually use the district centres for their weekly shop, buying electrical goods, etc.?
- Would be advantageous as able to get goods needed locally.
- Lack of affordable choice on Hayling Island.

Highways/traffic:

- More traffic=more visitors=more opportunity/healthy competition
- Reduced travelling by car – Will support a large population that drive past the site to do weekly shop elsewhere, therefore will not cause any further traffic in area.
- Traffic – HGV's historically used the site, so no different.
- Negligible congestion as main roundabout free flowing
- Competition needed, as local shops overpriced – will provide catalyst to improve services.
- Shops in district centres not accessible for disabled and pushchairs.
- Will save on CO^2 emissions by not having to travel further afield to shop/will cut the need to travel further afield for items not available in the town/to do main shop, which most people do anyway.

Environment

- Energy saving building
- Will improve a site that is an eyesore at present, with equestrian paraphernalia
- The development would improve the flooding on this site, which currently does not drain.
- The development would improve the wider drainage on the area, including management of ditches, which are currently not cleared and cause blockages. The proposed drainage management plan would improve the situation

7 Planning Considerations

7.1 In weighing the planning considerations arising from the proposal, 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) Infrastructure of Hayling Island
(iii) Nature of development
(iv) Impact upon the character and appearance of the area
(v) Access and Highway Implications
(vi) Impact upon residential amenity
(vii) Flood Risk – Sequential Test and Exception Test and drainage
(viii) Ecological considerations

(ix) Trees
(x) Community Infrastructure Levy (CIL) and legal agreement

(i) Principle of development

7.2 The National Planning Policy Framework (NPPF) sets out a clear presumption in favour of sustainable development; and describes the three dimensions that the planning system must have regard to when determining applications - an economic role, a social role and an environmental role. These three roles are to be seen as mutually dependent:
* **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
* **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
* **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

7.3 When making decisions on planning applications, this presumption means that development proposals that accord with the development plan should be approved without delay; but where the development plan is out-of-date, permission should be granted unless the adverse effects of doing so would significantly outweigh the benefits.

7.4 The NPPF also sets out core planning principles, which in relation to this application include the need to proactively drive and support sustainable economic development; take account of market signals; always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; take account of the different roles and character of different areas; encourage the effective use of land by reusing brownfield land; promote mixed use developments; conserve heritage assets; and focus significant development in locations which are sustainable.

7.5 Planning law requires that applications for planning permission must be determined in accordance with the development plan (the Core Strategy and the Allocations Plan), unless material considerations indicate otherwise. The application site lies within the defined 'non-urban' area of Hayling Island by the Allocations Plan, and as such is in an area where new development would normally be restricted in line with the criteria of Policy AL2.

7.6 The closest existing district centres to the site are Gable Head and Mengham as defined in policies CS4 and AL3. Gable Head is approximately 800m away from the proposed site, and Mengham is located approximately 1.6km away. In terms of the wider context of the Island, the site is located approximately 1.6km from West Town district centres. At present, the Mengham/Gable Head District Centre has two Co-Operative food stores and a Sainsbury's Local within its boundaries. A Tesco Express is found in the West Town district centres.

7.7 Paragraph 3.46 of the Local Plan (Core Strategy) gives a brief description of the Mengham and Gable Head district centres:
''The twinned district centre of Mengham and Gable Head forms the principal shopping area on Hayling Island. The centre serves the needs of local residents many of whom have limited opportunities to travel off the island to shop. It also accommodates tourist trade in the peak holiday season. The centres' retail outlets are predominantly

independent traders offering a range of comparison and convenience shopping''.

7.8 The National Planning Policy Framework (NPPF) refers to town centre, edge of centre and out of centre locations for retail development. For retail purposes, edge of centre is defined as a location within 300m of a centre boundary (outlined in Annex 2: Glossary of the NPPF). As the proposal is, at its nearest point, 800m from a defined District Centre, it is identified as ''out of centre''.

7.9 As this proposal is for a discount food store in an out of centre location, the process set out in Paragraph 3.39 (Policy CS4) of the Local Plan (Core Strategy) 2011 will apply: *''All applications for the development of town centre uses and in particular new retail floor space outside designated centres will need to demonstrate in a robust and transparent manner the application of the sequential approach to site selection, an impact assessment and all other relevant tests set out in current government policies''.*

7.10 The National Planning Practice Guidance (NPPG) specifies that the NPPF sets out two key tests that should be applied when planning for town centre uses, which are not in an existing town centre and which are not in accordance with an up-to-date Local Plan. These are the Sequential Test and the Impact Test.

Sequential Retail Test

7.11 The purpose of the sequential retail test is to ensure that new retail development is located as closely as possibly to town centres, to ensure that sites closer to the town and district centres that may be available have been considered and to ensure as far as possible that new retail development would not have an untoward negative impact on the vitality of town centres. The requirements of paragraphs 24 and 26 the NPPF are set out in section 4 above. The applicants have undertaken a study of retail provision on Hayling Island, and in accordance with national guidance have considered a sequential approach to retail development, taking into consideration the suitability of other sites within the defined district centres, which could have potentially accommodated the proposals being considered. Furthermore this assessment has provided scope for flexibility of the format and scale of the proposed store. The NPPG that informs the NPPF is clear that if there are no suitable sequentially preferable locations, that the sequential test is passed.

7.12 The NPPF requires applicants and local planning authorities to demonstrate flexibility on issues such as format and scale in undertaking the sequential test. In this respect, the NPPG recognises that an operator's business model is a genuine planning consideration which will determine the parameters of the sequential test. The application has come forward with an explanation of the current Lidl business model, this outlines that a minimum site area of at least 0.8 ha is needed to accommodate Lidl's minimum floor space requirement of 2,400 sq. m. gross and sufficient adjacent land to provide at least 100 surface level car parking spaces. Furthermore direct and/or easy vehicular access to the main road network is required, and the store needs to be directly visible from the main road network.

7.13 The accompanying Retail Statement with this application provides an assessment of the impact of the scheme in accordance with the NPPF, including the consideration of alternative, more sustainable sites as part of the sequential assessment. This search has taken account of sites that potentially meet Lidl's retail floor space and customer car parking requirements, taking into account the need for operator flexibility. In order to demonstrate flexibility, the applicant has assessed the ability of each alternative site to accommodate a food store development assuming 70% of the total floor space proposed, i.e. 1,530 sq. m. gross with a site area of 0.8 ha.

7.14 There are two main parameters set out in the NPPF which govern the search for alternative sites under the sequential test. Sites must be:

• Available – alternative sites should be available for development now or within a

reasonable period of time (determined on the merits of a particular case, having regard to, amongst other matters, the applicant's suitability criteria and timescales), and;
• Suitable – with due regard to the requirement to demonstrate flexibility, alternative sites should be suitable to accommodate the proposal.

7.15 It is helpful to understand the Lidl retail model, when looking at the sequential testing of this proposal. Lidl stores are not destination stores in their own right, having a limited retail offer, and customers usually visit other stores in an area to complete their shop.

7.16 The type of retail offer and the size and characteristics required of a site for retail development by the applicant have been set out above. Informed by this, alternative sites within and around the edge of each of the district centres on Hayling Island comprising Mengham and Gable Head district centres have been considered and discounted as follows:

7.17 Site of the former Hayling Billy Public House: the site fronts Elm Grove and adjoins the defined district centre. McCarthy & Stone was granted planning permission to redevelop the site for retirement apartments in December 2016 (Ref. APP/16/00568) and has now commenced development. Therefore, the site is not considered to be available. Furthermore, the site was not considered suitable as it is approximately 0.3 ha which is significantly smaller than required space for the applicant.

7.18 Site of the vacant Pullingers Interiors and land to the rear: this site is located within the district centre and is of a similar size to that of the former Hayling Billy site i.e. less than the 0.8 ha required. However, the majority of the eastern half of the site is allocated for housing development within the Local Plan. Furthermore due to the small amount of remaining developable land, the site is not considered to be suitable for the proposed development. Comments have been received that this site, together with the neighbouring allotments could be a site for this proposal. However, as paragraph 7.14 outlines, the key tests relating to alterative sites are that they are available and suitable now. This is not the case here, furthermore there are relevant statutory processes involved when proposing to build on allotments, which have not been undertaken at this point.

7.19 The 100 space car park to the east of Elm Grove: the site is owned by the Council and is within the district centre and is approximately 0.35 ha in size. It has very limited frontage and is complicated by the access it provides to the medical centre to its north. The car park is well used in the day and its loss would significantly reduce parking availability within the centre. This site is therefore not considered to be suitable in terms of size, lack of available retail frontage or available for development.

7.20 The 125 space car park to the west of Elm Grove: the site is owned by the Council and is within the district centre and is approximately 0.35 ha. The car park is well used in the day and its loss would significantly reduce parking availability within the centre. Furthermore the site has no frontage and is not considered suitable in terms of size. The site is not considered to be suitable or available for development.

7.21 The Retail Statement has also considered sites within the West Town and Rails Lane district centres. However no potential sequential sites, including vacant retail units of sufficient scale to meet the requirements of the applicant were identified.

7.22 Overall, it is concluded that there are no sequentially preferable locations to the application site. Accordingly the proposal therefore accords with the sequential test in retail terms as set out in the NPPF and NPPG, and in policy CS4 of the Local Plan (Core Strategy) 2011.

Impact Assessment

7.23 The applicant's Retail Statement points out that the proposal falls below the threshold

(2,500m²) for which a retail impact assessment is required as set out in paragraph 26 of the NPPF. However a proportionate impact assessment on Mengham/Gable Head district centres has been undertaken to demonstrate the robustness of the proposal.

7.24 The Impact Assessment considers the following –

- The impact of the proposal on the existing, committed and planned public and private retail investment; and
- The impact on district centres viability, including local consumer choice and trade in the district centres and wider area for a period of up to 5 years.

7.25 The Impact Assessment does not identify any planned investment/commitments in the Mengham and Gable Head district centres which the application would have an impact upon.

7.26 A detailed study of impact on the viability of Mengham and Gable Head district centres has been undertaken. The district centres are well serviced in terms of convenience retailers including a Co-operative supermarket on the corner of Elm Grove and Tournerbury Lane, which has a gross retail floor area of approximately 1,875sqm, a Sainsbury's Local convenience store, a greengrocer, newsagents, a bakery and a butcher. Furthermore a Co-operative store is located on Selsmore Road, adjacent to the district centre boundary. With regard to other facilities, the study demonstrates that the district centre is also served by a range of other uses, including takeaways and restaurants, estate agents, barbers, hairdressers and major banks. These facilities all contribute to the diversity of the centre and its overall vitality and viability.

7.27 The health check undertaken for Mengham and Gable Head district centres, which was undertaken by Turley's in January 2017, concluded that the Centre is healthy with regards to indicators of vitality and viability. At the time of the survey, there were 8 vacant units located within the centre, equivalent to 10% of all town centre units. This is below the Goad (December 2016) national average of 11.19%. The Centre benefits from a normal crime rate, good levels of accessibility and a good level of environmental quality. The centre comprises 38.75% comparison goods retailers, 7.5% convenience retailers, 13.75% other retail services, 8.75% financial & business services, 8.75% food and drink, 12% mixed uses and 10% vacant units.

7.28 The applicant states that as a retail use employing the 'deep discounter' model, Lidl concentrates on selling a limited range of primarily own brand goods at competitive prices. This sector also includes Aldi. The retail offer provided by deep discounters is fundamentally different to the main food offer provided by the main supermarkets such as Tesco and Asda in the offer that they provide to shoppers. Generally, Lidl stores offer a limited product range (circa 1,800 products) and do not offer the full range of items usually found within a main store, which would typically offer over 45,000 product lines. Therefore, whilst it is accepted that there will be some impact on these convenience retailers, the impact would be relatively limited.

7.29 In terms of the comparison retail provision, it should be noted that the non-food offer within Lidl stores is mainly focused on household cleaning, and health & beauty products. Lidl stores do receive a twice-weekly delivery of non-food 'specials', which can range from garden equipment and small items of furniture to flat screen TVs. These are sourced on a pan-European scale at competitive prices, and are provided on a 'when it's gone, it's gone' basis. Owing to the limited and constantly changing offer, the potential for impact upon other retailers is negligible.

7.30 The current food retailing within the district centres, which comprises the two Co-operative's, Sainsbury's Local and other convenience stores is relatively small. The stores of this size generally serve a localised catchment, providing for the day-to-day convenience shopping needs of residents living within the immediate surrounding area.

This contrasts with the role and function of the proposed Lidl store and as such, any impact upon the existing stores are likely to be limited. This is because there is limited 'trade overlap' between the small convenience stores in the district centres and the discount food store offer of the Lidl proposal. The goods sold at Lidl also differ fundamentally from those sold by the independent, convenience retailers within the district centres. As such it considered that the resulting impact on convenience goods sales on the district centres would not have significant impact on the centre's overall vitality and function as a local shopping destination.

7.31 Overall, it is considered that the principle of the development for a new food store is justified, as there are no sequentially preferable sites. Moreover it would not harm the vitality and viability of the Mengham and Gable Head district centres. Furthermore the proposal would not harm any significant planned investments, as none are currently planned. As such it is not considered that the development would have a significant adverse impact on the district centres, therefore the proposal complies with the impact test as set out in paragraph 26 of the NPPF.

(ii) Infrastructure of Hayling Island

7.32 The uncertain nature of Hayling Island's infrastructure network is well documented, particularly the concerns associated with the single access on and off the island. These concerns were more recently highlighted during the public consultation on the Draft Local Plan Housing Statement in the summer of 2016. The Council is currently producing an Infrastructure Delivery Plan (IDP) to support the Havant Borough Local Plan 2036. The plan will consider a range of infrastructure measures, including those which will help make the island become more self-sufficient rather than relying on access to facilities on the mainland. One of these measures is better access to services and facilities on the island; this includes retail and employment opportunities.

7.33 In terms of the overall provision of food retailing on Hayling Island, there are limited food shopping opportunities. The 2009 Town Centres, Retail and Leisure Study (produced by Nathaniel Lichfield and Partners) highlighted that 38% of Hayling Island residents did their main food shop on the mainland. The analysis contained in this report is based on a household survey dating from 2008. Whilst useful in a general sense, the survey and the analysis based upon it are considered to be out-of-date and inappropriate for the purposes of identifying store/centre turnovers and apportioning impacts. In the absence of an up-to-date Council study, the applicant has submitted a further analysis, which is based on data from a more recent household survey undertaken in 2014 in support of the Portsmouth Retail Study. This survey was undertaken by NEMS, an accredited market research agency, and features 15 'survey zones' which cover a wide area, extending from Locks Heath in the west to Chichester in the east and includes an assessment of the Island.

7.34 The market share analysis derived from the household survey indicates that stores on Hayling Island draw only 20% of household shopping trips relating to food and grocery shopping. The majority of respondents living on Hayling Island undertake their convenience goods shopping at locations on the mainland, notably at Tesco Extra in Havant (29%); Asda in Bedhampton (9%) and Sainsbury's in Farlington (8%). The ALDI store in Havant also features as an important convenience shopping destination for residents of Hayling Island, drawing 5% of total household shopping trips.

7.35 The introduction of the Lidl store would improve Hayling Island's convenience goods offer. Although the proposal will result in some diversion of trade from the district centres, it is not considered that this would have a significant impact on the defined district centres on the Island. The proposal would however act to 'claw back' trade attracted to other stores on the mainland. In particular, the proposal will draw expenditure from the Tesco Extra in Havant and Out of Centre Asda store in Bedhampton, which are major destinations for the Island's residents. It could be reasonably considered that a proportion of customers

making the trip to the Lidl store on Hayling Island, who formerly visited stores further away, are likely to make 'linked trips' to stores in Mengham and Gable Head district centres to complete their main food shopping. As such it is considered that the development would have beneficial impacts associated with increased trade retention on Hayling Island, which, would in turn, be likely to reduce the need to travel off the island for food shopping.

7.36 Furthermore the impact of permitting this development would have a short term positive economic impact due to the employment opportunities which would be created with its construction including supply of materials and skilled labour. In addition the development would provide longer term economic benefits from the proposed store creating up to 40 full and part-time staff. As such this is a consideration which weighs significantly in favour in the determination of this application.

(iii) Nature of development

7.37 The design of the building is proposed to be a contemporary approach, with a full height glazed façade to the eastern elevation. The proposal includes the associated hard landscaping, including car parking for 126 vehicles, of which 10 spaces would be accessible bays and 8 parent and child spaces. A new pedestrian access off Manor Road, in the north east corner of the site would be provided, which would also have cycle parking provision. The layout for the scheme has been informed by the position of the site in relation to the topography, flood mitigation, trees, hedges and boundary screening and the nature and form of existing surrounding development. Detailed negotiations have taken place with the applicants in order to improve the urban design qualities of the originally submitted scheme, with particular regard to the character of the site layout with respect to use of materials, car parking/hard surfaced elements, enhanced landscaping, designing out opportunities for crime and having regard to its edge of settlement location and relationship with neighbouring properties.

7.38 The proposal now includes the use of brickwork on the northern and western elevations, replacing the previously proposed cladding, which is a significant departure from Lidl's standard design for its stores. The use of brick for this prominent elevation is considered to provide a more appropriate character to the building in this non-urban location. Furthermore areas of the northern elevation, which would form the principal elevation facing out onto the car park and being visible from Manor Road, have now been reserved for areas of public art. This would add visual interest to the development and would enable local art to be produced which reflects the identity of Hayling Island. The development proposes soft landscaping on the site, which would include specimen tree planting within the car park area. In addition perimeter native species hedgerow planting is proposed to reinforce the existing hedgerow along Manor Road, furthermore mature tree are proposed to be planted on the norther elevation. Furthermore shrub and ground cover planting, semiaquatic planting, wildflower wetland and general purpose meadow grass mix forms part of the internal landscaping. It is considered that the combination of these amendments would help the development integrate into the wider context of the area, and mitigate the overall impact of the development.

Sustainable construction

7.39 Policy CS14 requires that non-residential development of over 500 sq. m must at least meet the 'very good' standard of BREEAM. The application outlines that it would meet this standard by providing a minimum of 10% of the building's energy from renewable or low carbon energy sources. Furthermore the submission outlines that Lidl recycle all paper/cardboard and plastic waste produced by its stores. This will mean that over 90% of all waste produced by the store will be recycled. Therefore the proposed development complies with this policy, subject to appropriate conditions to secure this.

(iv) Impact upon the character and appearance of the area

7.40 One of the core planning principles set out in the NPPF is to take account of the different roles and character of different areas by, amongst other matters, recognising the intrinsic character and beauty of the countryside. Policies CS11 and CS16 of the Core Strategy set out a range of criteria that new development should be able to demonstrate in order to protect the environment and heritage of the borough and secure high quality and appropriate developments - chief amongst these is that new development should ensure that the key landscape and built form principles set out in the Havant Borough Townscape, Landscape and Seascape Character Assessment are protected, and to respond to and respect local context.

7.41 The application site is located in central Hayling Island on the outskirts of Gable Head on land off the A3023 Manor Road. The site consists of an existing open field, currently used for grazing horses, bounded by trees and woodland, which to the south and east of the site are covered by a Tree Preservation Orders, and hedgerow vegetation to the south, west and east. The northern boundary of the site, bordering Manor Road, is more open with scattered trees and mixed species hedge/scrub vegetation to the edge of the grass verge. To the north of the application site, beyond the A3023 Manor Road, is open countryside primarily agricultural with scattered farmsteads, tree and woodland vegetation, particularly to field boundaries and adjacent to principal roads. To the south of the application site the landscape becomes more urban approaching Gable Head, and is within the defined urban area.

7.42 The application site is located within Landscape Character Area 31 *'Central Hayling Plain* ' of the Havant Borough Townscape, Landscape and Seascape Character Assessment which describes the landscape as *"… A predominantly flat landscape slightly mounded towards the central area. Centrally the drainage pattern exists of straight manmade ditches which align some hedgerows, while others sit within the open agricultural plain. To the east within the area covered by rough grassland, the drainage pattern is more organic in form, forming a fringe of short channels feeding into the harbour...*" In terms of openness/enclosure, prominence, visibility and tranquillity there is a particular reference to " *An open landscape with blocks of trees and shrub vegetation screening and concentrated around farmsteads allowing long views across adjacent areas of the open arable landscape* " and "*In areas adjacent the A3023, tranquillity is reduced due to the heavy volume of traffic and the open nature of the landscape",,* and these extracts are regarded as a key local issue for the landscape character area, where the strategy is to conserve and enhance local character.

7.43 In this context it is recognised that the application site is largely screened from the west, east and south of the site, by mature belts of trees in combination with hedging, with only very glimpsed or filtered views being possible at these points.

7.44 The key visual impacts of this development would be from Manor Road, which is directly adjacent to the northern boundary of the site, and from the roundabout at the junction of Manor Road and Church Road. There would be direct impacts upon a small and contained part of the Central Hayling Plain landscape character area, a part of it that is separated from the bulk of the character area to the north by the A3023 Manor Road/Havant Road. The part of the landscape directly impacted is currently used for horse paddocks with associated paraphernalia in the form of sheds used for stables and other elements associated with this type of land use. The field pattern within the application site itself is defined by post and wire fencing demarcating different size paddock areas and has no hedgerow planting, with existing mature planting to the application site boundary along the A3023 Manor Road, Church Road and to the south of the application site. This part of the character type is also influenced by the surrounding residential nature of Gable Head and Newtown with its character being typical of the urban edge and managed landscape. The proposed development would change a small part of the overall character type from rural to that of an urban form and although the proposed development is not in keeping with the surrounding vernacular, when considering the landscape character area as a whole, it is

considered that the proposed development would not result in an overall significant adverse impact upon this landscape character type.

7.45 Detailed negotiations have taken place with the applicants in order to improve the landscaping framework of the proposal, both in terms of ensuring the retention and longevity of the TPO tree belts and number of additional mitigation proposals. The proposed landscaping includes the planting of native specimen tree planting, along the northern boundary abutting the A3023 Manor Road. This would help to filter views from a local level and lessen the visual impact of the proposal, while maintaining views to the store, particularly from the Manor Road/Church Road roundabout approaching from the east. In addition tree planting is proposed along elements of the other boundaries to the site, in order to further assist in mitigating the impact of the development.

7.46 It is acknowledged that there is a need for control over night-sky pollution and that no lighting should be there unless necessary and justified accordingly. A lighting plan has been submitted with this application, which assesses the impact of the proposed lighting, both from the store itself and the lighting columns in the car park. The associated light spill plan outlines that by virtue of the location, angle and positioning of the lights that only limited light spillage would occur outside of the site, which is aided by the mature tree belts providing screening. As such with regard to this element the proposal is not considered to have a significant adverse impact on the character and appearance of the area.

7.47 Overall on this matter, it is acknowledged that the development will give rise to a notable but localised impact upon the Central Hayling Plain landscape character area, particularly when viewed from the north and north east. However given the improvements made during the course of the application to its design and landscaping, and when weighed against the benefits of providing retail and employment opportunities enabling Hayling Island to be more self-sufficient, it is considered that the landscape impact is not so detrimental when weighed up against the other material considerations outlined in this report as to warrant a refusal of the application on this ground alone.

(v) Access and Highway Implications

7.48 The National Planning Policy Framework (NPPF) at Paragraph 32 states that, in relation 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 35 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.

7.49 Extensive representations have been received by interested parties raising concerns as to the highways impacts and related accessibility issues of this proposal. In particular concerns are raised that the existing highway network in the vicinity of the site is heavily used, congested and restricted, as the A3023 is the only route both on and off Hayling Island. The consequences of this are considered to be that the development would result in harm by adding traffic to this existing situation. In addition concerns are raised as to accessibility and movement by alternative means of transport including cycling, walking and public transport.

7.50 The applicant has submitted a revised Transport Assessment (TA) and a Travel Plan, following the request for further information from Hampshire County Council, the Highway Authority. This has been prepared using industry standard methodologies. The TA undertook junction capacity modelling at the Manor Road/Church Road Roundabout. Additionally the TA modelled a number of scenarios for the period up to 2036 including with development and mitigation scenarios, in order to determine the impact on the A3023.

Traffic Generation, Distribution and Modelling

7.51 The additional survey data has demonstrated that the network peak hours for a week day on Manor Road are 08:00 to 09:00 and 15:00 to 16:00. At the weekend the Sunday peak hour of 12:00 to 13:00 is shown to be greatest compared to 11:00 to 12:00 on the Saturday which saw slightly fewer movements. In order to understand the impact of the development on the wider road network of Hayling Island, it has been confirmed within the review of the Transport Assessment that generation of the trips and assignment to the network has been based on the proportion of residents living on the Island in each ward, which is as follows:

Hayling West	35%
Hayling East	53%
Hayling North	12%.

7.52 The TA refers to a methodology for calculating trip rates which were agreed for a proposed store in Ringwood. However each individual application must be assessed based on its specific location and therefore trip rates for this application have been calculated based on the specific characteristics of the development proposal. The proposed trip rates have been agreed using TRICS data for the gross floor area of the store, utilising recent updated survey information of sites of this type for a discount food retailer. This has reflected what are considered to be robust trip rates for the proposed development for the weekday morning and school peak hours as well as the Saturday peak hours.

7.53 The TA review has confirmed that all trips forecast to be generated from the development have been treated as 'new' trips within the network capacity assessment. Therefore this presents a worst-case scenario, as it does not include passer-by trips or transfer trips, for those linking trips to other convenience stores. This is considered a robust and reasonable approach in determining the impact of traffic generation on the highway network. The Highway Authority have also undertaken a review of personal injury accident data held and have concluded that there are no personal injury accidents in the latest 5 year period (1st September 2012 to 31st August 2017) within the vicinity of the site or proposed site access works.

7.54 The impact of the development on the Manor Road roundabout has been assessed during the recorded AM peak (08:00 to 09:00), School peak (15:00 to 16:00) and Saturday peak (11:00 to 12:00) hours. It has forecast that on a Saturday peak it would result in queues of less than 1 vehicle. This increases marginally on the Church Road arm in the 2022 scenario with development, and in the 2036 scenario a further slight increase is predicated. Given this scenario the Highways Authority has advised that the operation of the junction is considered to remain within its design capacity. As such in terms of the overall impact, the Highways Authority has advised that the local highway network is not at capacity and the highway can therefore accommodate the potential increase in traffic from the development. Having regard to paragraph 32 of the NPPF, which refers to the cumulative impacts of development, it is not considered that the development would result in 'severe impacts' to the local transport network.

Access

7.55 A revised site access proposal has been submitted, which includes the provision of a right turn lane and additional shared use facilities, to provide direct connectivity to the site and provide a safe access as sufficient visibility splays are achieved on Manor Road. The site access modelling has been undertaken for the Saturday peak hour and demonstrates that the proposal would have a minimal impact with regards to traffic generation. The junction is therefore forecast to work within design capacity and deemed acceptable in modelling terms. However tracking for delivery vehicles turning left out and right in, is still a concern for the Highway Authority. Given the likely alternative routing of delivery vehicles instead from the north on the A3023 (resulting in a left in and right out scenario), it is considered that this can be addressed by a legal agreement restricting the delivery vehicles routing

through a Delivery Vehicle Management Plan.

Parking

7.56 The Council's adopted car parking standards SPD sets out minimum vehicular parking requirements. For an A1 food retail use the standards state that 1 space per 14 sq. m of the covered area is required. As the proposal is for a gross internal ground floor area of 2,186 sq. m, this means that a minimum of 156 spaces are required to meet the adopted standards, of which 8 will need to be blue badge disabled parking spaces. The proposal as submitted however, only has 126 customer car parking spaces of which 10 would be blue badge disabled spaces. As such the proposal does not meet the minimum number of car parking spaces required by the SPD, with a deficit of 30 car parking spaces. However, it has exceeded the ratio required for blue badge disabled spaces. Given the population profile of Hayling Island, the over-provision of disabled parking spaces is accepted.

7.57 In line with the guidance set out in the SPD, the applicant has been asked to justify the proposed shortfall in car parking provision at the site. The submitted justification outlines that, from experiences at other similar sized food stores, a maximum accumulation of 50 and 95 vehicles would occur during a typical week day and Saturday respectively, demonstrating that the car park would have appropriate capacity to deal with typical peak periods on weekdays and Saturdays with a spare capacity of between 31 and 76 spaces during these times to deal with exceptionally busy periods such as the lead up to religious holidays. In addition the applicant has outlined that the proposed store would have one of the smallest population catchment areas of the 53 stores managed by the southern property region, but would have some 20 parking bays more than the region's current largest store and associated car park in existence, either built or going through the planning process.

7.58 Furthermore as has been outlined in this report, this site has a limited developable area, given the surrounding tree belts which are subject to a TPO, in combination with the proposed flood attenuation measures located on the southern and western parts of the site. Therefore to require further car parking would result in adverse impacts on the landscape and mitigating the impact of the development from flooding. It is therefore considered that there is a balance to be made with regard to this issue.

Sustainability

7.59 The proposed development while being on the edge of the urban area is within the preferred maximum walking distance of 2,000m of almost all residential development and key facilities to the south. Furthermore, most of the Island's facilities are within a reasonable cycling distance. The development includes adequate cycle parking facilities, and it is considered that cycling to and from the site will be a reasonable option for residents, staff and customers.

7.60 Concerns have been raised regarding the location of the cycle store, and the risk that its proposed location might increase the vulnerability of cycle parking to crime. The cycle parking is proposed to be located in the north east corner of the site, next to the shared pedestrian and cycle access. Officers have discussed this matter with the applicant to seek a solution to this issue, and in response CCTV has been proposed in order to provide surveillance to the cycle parking area.

7.61 The concern outlined above is also considered to be mitigated by the proposed additional cycle infrastructure in this application and its benefits for the wider area. It is proposed to provide a refuge crossing for cyclists on Manor Road, with a shared use path along the site frontage of Manor Road, which would provide cycle connectivity to Havant Road and Church Road at the roundabout; these works shall be secured through a legal agreement.

7.62 In relation to public transport bus services are provided by the 30 and 31, which are

identified as a frequent 30 minute service during the week and on Saturdays. The nearest bus stops are located approximately 220metres west of the site, on Manor Road next to the Oven Camp Site, and bus stops approximately 130m to the east on Havant Road, with a further stop outside of Mill Rythe School.

Travel plan

7.63 A revised Travel Plan has been prepared in support of the application detailing how more sustainable modes of travel would be encouraged. The Travel Plan now meets the minimum standards set out in HCC's 'A guide to development related travel plans', and it is considered acceptable for submission in conjunction with the proposed commercial/employment site. The Travel Plan will be secured through a legal agreement, which will also include monitoring fees, approval fees and a bond.

7.64 Taking all these highway factors together it is considered that the site is reasonably sustainable in transport terms subject to the mitigation measures proposed and conditional requirements. Whilst the proposed car parking provision is below standard, this has been justified by the applicant with reference to their experience at other Lidl stores. Cycle parking provision on the site itself is not in an ideal location but overall facilities for cyclists will be improved by the development. Overall the impacts on the highway network could not be considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused. It is clear in paragraph 32 of the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Following the implementation of the agreed mitigation proposals required by S106 and conditions, these are considered to mitigate the impact of the development on the highway network and therefore a reason for refusal on this basis could not be justified.

(vi) Impact upon residential amenity

7.65 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the National Planning Policy Framework. Core Strategy Policy CS16 seeks to prevent development which would be detrimental to the amenities of neighbouring properties and uses.

7.66 In this regard representations have been received from local residents regarding an increase in noise and disturbance through alarms and delivery vehicles arising from the development. The nearest property to the application site is 101 Church Road, located to the south of the site, and residential properties continue further south along Church Road. To the south west of the site lies the Oven Camp Site. To the north west of the site, on the other side of Manor Road, lies Manor Farm Cottages.

7.67 A Noise Impact Assessment has been submitted in support of the proposal. The report identifies that plant will operate 24 hours a day according to demand. The Environmental Noise Report further describes that a 3m high acoustic fencing should be installed along the eastern length of the delivery bay, and it is considered that the proposal is considered to be acceptable given the context of the noise. Overall, the Council's Environment Health Officer is of the opinion that noise any increase in noise and disturbance emanating from the site would be acceptable, subject to the provision of appropriate conditions to secure the proposed mitigation measures.

7.68 Turning to the built form, the south eastern corner of the building would be sited a minimum of 51m off the rear elevation of the closest residential property 101 Church Road, with the building being located approximately 44m from the part of the boundary which is adjacent to the main private amenity area of this property. With regard to the parking areas, the parking spaces along the south eastern fringe of the site would be sited a minimum of 6.8m off the boundaries with 101 Church Road. It is also important to note that the finished floor level of the development would need to be raised by 300mm above

prevailing ground levels as the site is within Flood Zone 3 (see further below), therefore a sectional plan was requested in order to understand the impact on 101 Church Road. It is considered that given the proposed distances from the development to no.101, that the proposed store would not have a significant adverse impact on the amenities of this property, even when taking into account the proposed change in levels.

7.69 Given the distances between the proposed building and the nearest residential properties and Oven Campsite, in addition to retained screening provided around many of the site boundaries by existing mature trees, and the addition of some further planting along the southern boundaries, it is not considered that the development would result in an unacceptable level of overlooking, loss of light or overbearing impact which would be detrimental to the residential amenity of the occupiers of nearby residential properties or that of the Oven Camp Site that would warrant the refusal of the application on this basis.

(vii) Flood Risk – Sequential Test, Exception Test and Drainage

7.70 The site is at high risk of flooding, being located in Flood Zones 2 and 3. The NPPF Technical Guidance (Table 2) designates buildings used for shops and offices (amongst other uses) as “less vulnerable” to flood risk and can be compatible with a high risk of flooding (flood zone 3), subject to appropriate mitigation. However the proposals must satisfy both the Sequential and Exception tests, as set out in the NPPF, in order for development to be permitted. These tests are considered in detail below:

7.71 The Sequential Test aims to direct development towards areas of lowest flood risk. This applies to all development proposals in Flood Zones 2 and 3 (as stated above, this site is within Flood Zone 2 and 3). The NPPF states that "Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding".

7.72 In this case, the requirements of the Sequential Test should be considered alongside the wider available and suitable land for food retail sites on Hayling Island, as outlined in paragraphs 7.11-7.22 of this report. In the context of a shortfall of land, there are not sufficient "reasonably available" alternative sites. Therefore, the proposal is compliant with the Sequential Test.

7.73 Moreover, as the site is within Flood Zone 3, the proposals must also demonstrate compliance with the "Exception Test". The NPPF states that for the Exception Test to be passed:
• "it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

• a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."

Both elements of the test have to be passed for development to be permitted.

7.74 The first requirement, to demonstrate "wider sustainability benefits", has been addressed in paragraphs 7.32-7.36. This outlines that this proposal would provide better access to services and facilities on the island through the provision of retail and employment opportunities, therefore providing much needed infrastructure on Hayling Island, to enable it to become more sustainable.

7.75 The second requirement to demonstrate that the development will be safe has been the subject of discussions between the applicant, Environment Agency (EA) and the Local Lead Flood Authority (LLFA) and resulted in a revised Flood Risk Assessment being

submitted with this application. The EA have assumed that the application site will flood during a 1 in 100 year event, allowing for the effects of climate change. As such the Flood Risk Assessment outlines that the greatest risk of flooding to the development has been identified from high groundwater in the area.

7.76 In order to address the identified flood risk, the following mitigation measures are proposed to be undertaken:

1. Primary mitigation to reduce the risk of flooding from all sources has been proposed in the form of elevating levels. The building is proposed to be 300mm higher than the top of the bank of the Church Road Stream. External hardstanding levels would have raised levels in order to protect cars and the wider operation of the site.
2. Surface water runoff is to be managed through a sustainable drainage system (SuDs) to limit the peak flow off from the development. This will be managed on-site using attenuation proposed from the permeable sub-base, which is located underneath the development. The runoff would then be released in a controlled matter to the adjoining watercourse, and would be provided to the level that the existing greenfield site provides.
3. Surface water drainage will be designed to accommodate the 1 in 100 year storm event plus 20% allowance for climate change.
4. The ground levels have been designed so that it directs water away from the building. Furthermore the site wide levels would ensure that runoff is managed within the site boundaries and would therefore not overflow into the wider area, unless during a major storm event or blockage failure.
5. A blockage assessment has demonstrated that flooding as a result of the blocked outlet of the Church Road Stream does not impact the development, but would spill over into Church Road. As such the development would not alter the existing scenario.
6. An additional flood storage basin is proposed to the south and west of the proposed building with capacity for at least 200m³ to provide betterment to the wider area by alleviating flooding downstream. It should be clarified that this is not part of any flood zone compensation required by the EA, but is a contribution by the developer to reduce the impacts of flooding elsewhere.
7. A drainage maintenance schedule for surface water management. This includes periodic maintenance of the surrounding ditches, Church Road stream and headwall, which would reduce the amount of debris and litter that pass through the outfall, and so further reduce the risk of blockages.

7.77 Therefore, whilst the site is categorised as being within an area of potentially high flood risk, it can be concluded that this proposal meets the requirements of the necessary Sequential and Exception tests through the provision of much needed infrastructure in terms of retail and employment opportunities. In addition the EA and LLFA have now 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 is sustainably drained (subject to conditions). Furthermore the proposal would mitigate against flooding and improve drainage in the wider area, through provision of additional flood storage capacity, which is above and beyond the requirements outlined and required from the statutory consultees.

(viii) Ecological considerations

7.78 The application documents include a Preliminary Ecological Appraisal (The Ecology Partnership, June 2017) and an Addendum addressing the issue of Solent Waders & Brent Goose Strategy sites. The application site comprises a horse-grazed pasture with boundary vegetation comprising woodland plus mature hedgerows with trees. It is not considered to be of particular ecological value, with all habitats being well-represented in the immediate landscape.

7.79 The proposals would not result in the loss of any trees and therefore the potential for impacts to species inhabiting trees (such as bats and nesting birds) is likely to be limited. The submitted landscaping strategy shows that areas of native tree and shrub planting, alongside wildflower grassland, will be used to buffer existing boundaries. The submitted lighting strategy shows that for the majority of the retained boundaries lux levels would be low. There are slightly higher levels along parts of the northern boundary, although these are away from any trees identified as offering bat roosting potential.

7.80 The submission of the further addendum report has identified that that the site is not likely to be of importance for overwintering bird species associated with the nearby European designated sites. The site is small, disturbed by horses and there is no indication that either waders or Brent geese have ever occupied the site. In summary, it is considered that the ecological issues have been addressed to an appropriate level. A condition is recommended in order to provide a definitive ecological mitigation, compensation and enhancement strategy for the site.

(ix) Trees

7.81 The Council's Arboriculturalist has advised that the supporting arboricultural evidence provided by the applicant is comprehensive and would ensure that through appropriate mitigation and protection that, in relation to the tree belts surrounding the site which are covered by Tree Preservation Orders (TPOs), that the development would not threaten the longevity or retention of these trees. In summary provided that the methodology set out in the arboricultural reports is strictly adhered to with a pre commencement site meeting there is no arboricultural objection.

(x) Community Infrastructure Levy (CIL) and legal agreement

7.82 The CIL liability for this site currently stands at £222,503.57 (based on 2017 indexation levels).

7.83 In addition, having regard to the consultation responses received and the planning considerations set out above, the impacts of the proposed development on key infrastructure have been assessed, in particular with respect to highways, flood risk and drainage. Mitigation for the potential impacts on infrastructure has been proposed by both the applicant and consultees and would be the subject of a S106 agreement in respect of the following matters:-

1. Payment of a Travel Plan Bond, Monitoring Fee and Approval Fee
2. S106 monitoring fee
3. Management and maintenance plan for the lifetime of the development for SuDs and bond.
4. A contribution in relation to traffic management
5. Employment and Skills Plan
6. Travel Plan (HCC)
7. Highway Works (HCC) - Provision of the site access and sustainable travel improvements as shown in principle on drawing 14-018-016
8. Delivery vehicle management plan regarding restriction of all delivery traffic from turning right in and left out of the site access.

8 **Conclusion - Overall planning balance**

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 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. The proposal is considered to accord with the policies of the NPPF in relation to retail impact, and is considered to have limited impact on businesses within the district centres through trade diversion. The sequential assessment has shown that there are no 'sequentially preferable' sites within the designated local/district centres on Hayling Island, either for a store of this size or a smaller store of 1,530 sq. m (0.8ha site), so this would appear to be the only realistic opportunity for such a development on Hayling Island.

8.2 Equally on the retailing issue there are significant benefits in terms of retail provision. The proposal would improve the choice and competition of retailing in the area, an issue to which the NPPF gives great weight, which could be of real benefit to local residents. The store is expected to keep large numbers of shoppers on Hayling Island, who currently commute to the mainland and will therefore benefit the economic and retail role of the island. It would also help to retain many trips within the area, by reducing the need to travel so far for bulk shopping provision, cutting CO2 emissions.

8.3 Any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall the development would not unduly affect the character and appearance of the wider area. It has also been concluded that the development would not have an adverse impact on highway safety, both in terms of its impact on the surrounding highway network and providing safe access to the site. Whilst car parking levels are not to the standard set out in the Parking SPD, this has been justified by the applicant and an acceptable package of mitigation measures would be secured in order to promote sustainable forms of travel and enhance the pedestrian and cycling linkages to the district and district centres. In addition it has been concluded that the proposed development would not give rise to any harmful impacts on pollution, the natural environment and residential amenity, subject to necessary mitigation works secured through a S106 Agreement and conditions.

8.4 It is considered that the proposal has complied with the flooding Sequential and Exception Tests, in that whilst the site is categorised as being within an area of potentially high flood risk, there is no realistic alternative to cater for the development, which in other respects will provide wider sustainability benefits in terms of retail and employment opportunities. In addition the EA and LLFA have now 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 would be sustainably drained. Furthermore the proposal would improve flooding and drainage in the wider area, through providing additional flood storage capacity, which is above and beyond the requirements outlined and required from the statutory consultees.

8.6 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of paragraph 14 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 balance of sustainable development principles, 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/17/00656 subject to:-

(A) a Section 106 Agreement as set out in paragraph 7.83 above; and

(B) the following conditions (and any others 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.

Plans

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
Soft Landscape Proposals PR-011 Rev F
Preliminary Ecological Appraisal (October 2016, The Ecology Partnership)
AAJ5079 / PR-012 - Typical Tree Pit Details (RPS Group plc)
AAJ5079 - Landscape Management and Maintenance plan (RPS Group plc)
Preliminary Ecological Appraisal (The Ecology Partnership, June 2017) and The Ecology Partnership – Solent Waders & Brent Goose Strategy addendum dated 5th June 2017
Arboricultural Assessment and Method statement – JSL2697_775A
Design and access statement
Lighting Statement – Prepared by Philips reference D-199007/0244075686
Proposed lighting layout Drawing number 0244075656 Rev:D
Noise Impact Assessment – Reference: 6586/PP/pw – March 2017
Planning Statement – June 2017
Retail Statement – LIDW3001 – June 2017
Ventilation and extraction statement
Landscape and Visual Impact Assessment – by RPS – JSL2697_171 dated July 2017
Flood Risk Assessment and SUDS report – Ref: 15045-01-FRA Revision B
Transport Assessment – Transport Assessment Review - Technical Note JNY9067-03 dated 11 October 2017
Travel Plan – Lidl Store, Manor Road, Hayling Island – August 2017 produced by Arcadis
Hayling Island Travel Plan – Updates following HCC Highway comments
Site plan – Drawing number 3671 02 Rev: U
Proposed elevations – Drawing Number: 3671 05 Rev: N
Surface Dressing plan- Drawing Number 3671 06 Q
Roof plan – Drawing number 3671 07 Q
Site location plan 3671 08 Rev A
Street scene elevation – Drawing number: 3671 09
Proposed Access Arrangement Ghost Island Right Turn Option Drawing number JNY9067-06 Rev B

Reason: - To ensure provision of a satisfactory development.

Site management during construction

3 No development shall take place until a Construction Traffic Management Plan plans and particulars specifying the following matters has been submitted to and approved in writing by the Local Planning Authority:

The provision to be made within the site for:

(i) construction traffic access

(ii) the turning of delivery vehicles
(iii) provisions for removing mud from vehicles
(iv) the contractors' vehicle parking during site clearance and construction of the development;
(v) a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved construction traffic access, turning arrangements, mud removal provisions, parking provision and storage compound shall be kept available and used as such.

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

Archaeology

4 Unless otherwise agreed in writing with the Local Planning Authority, the applicant shall secure all of the following matters in relation to potential archaeology on the site:
(1) 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 (WSI) that has been submitted to and approved in writing by the Local Planning Authority in order to recognise, characterise and record any archaeological features and deposits that may exist on the site. The assessment shall take the form of trial trenching within should take the form of trial trenching located within the footprint of the proposed foodstore, access roads and associated car park
(2) If the results of the evaluation are deemed significant by the Local Planning Authority, then a programme of archaeological mitigation of impact, based on the results of the trial trenching, shall be carried out in accordance with a further Written Scheme of Investigation that has been submitted to and approved in writing by the Local Planning Authority prior to development taking place.
(3) Following the completion of all archaeological fieldwork, a report shall be produced in accordance with an approved programme including, where appropriate, a post-excavation assessment consisting of specialist analysis and reports together with a programme of publication and public engagement.
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, in accordance with policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011.

Levels

5 Notwithstanding the submitted details 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: In the interests of amenity and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

Materials

6 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or 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.

Landscaping

7 All landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information, including maintenance arrangements including drawing numbers:
Soft Landscape Proposals PR-011 Rev F by RPS,
Preliminary Ecological Appraisal (October 2016, The Ecology Partnership)
AAJ5079 / PR-012 - Typical Tree Pit Details (RPS Group plc)
AAJ5079 - Landscape Management and Maintenance plan (RPS Group plc)
3671 06 Rev Q – Surface dressing plan
The landscaping works shall be completed within the first planting season following completion of building operations / first use of the food store (whichever occurs first). Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policy CS16 of the Havant Borough Core Strategy March 2011.

Ecology

8 Prior to the commencement of development works a detailed Ecological Mitigation and Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This shall include, but not be restricted to: details of all details of habitat management measures; details of measures to avoid harm to protected species, including lighting; details of ecological enhancement measures for the remainder of the application site. All mitigation and enhancement features shall be permanently retained and maintained.

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS11 of the Havant Borough Core Strategy 2011.

Trees

9 Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan 700 Rev A and supported by the tree report reference JSL2410_775by RPS dated 1st June 2017. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policy CS16, of the Havant Borough Core Strategy 2011.

10 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) numbered plan 700 Rev A and supported by the tree report

reference JSL2410_775by RPS dated 1st June 2017 prepared by Chris Chambers shall be installed. The Council's Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with Tree Protection Plan drawing number 701 (telephone 023 92 446525). No arboricultural works shall be carried out to trees other than those specified and in accordance with the submitted Tree Survey.
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 NPPF and Policy CS16, of the Havant Borough Core Strategy 2011.

Flooding

11 The development permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (24/03/2017) and the following mitigation measures detailed within the FRA:
1. The finished floor level of the retail unit is to be set no lower than 4.600m AOD as specified within Paragraph 6.1 of the FRA.
2. The car park surface is set no closer than 6.6m away from the Church Road drain watercourse, as specified within drawing 14501-01-DR01 within Appendix VII of the FRA.
3. The additional flood storage basin proposed in Paragraph 7.4 of the FRA is implemented and maintained.
The mitigation measures shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements within the scheme Flood Risk Assessment (FRA) (24/03/2017), unless otherwise agreed in writing by the Local Planning Authority.

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 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 Council Core Strategy 2011.

Highway works

12 The store hereby permitted shall not open until such time as the highway works associated with the works to Manor Road as shown on plan Proposed Access Arrangement Ghost Island Right Turn Option – Drawing Number: JNY9067-06 Rev: B have been completed to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority. (Note: These off-site highway works are also to be secured through a Section 106 legal agreement).
Reason: To ensure that the agreed highway enhancements works are provided before the store herby approved is opened, in order to ensure that customers have sustainable alternative modes of transport, having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

13 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development 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.

Public Art

14 The store hereby permitted shall not open until full details of the proposed local/public art installations, outlined on plan – Elevations as proposed 3671 05 Rev: N have been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out 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.

Use as a Hard Discount Store

15 The store hereby permitted shall only be used for a hard discount food store. This is defined as a store which is characterised by; discounted food products and non-food ranges promoted through "weekly specials", dominance of private or "exclusive" labels, selling a limited range of products (less than 3,500 product lines which can be demonstrated through the availability of stock keeping records as requested), significantly cheaper products in terms of average price than all other multiple food retailers. No use other than a hard discount food store as outlined above shall occupy the premises unless an express planning permission for an alternative use is granted by the Local Planning Authority.

Reason: In the interest of preserving the vitality and viability of neighbouring District Centres in accordance with the NPPF and policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011

Control over use

16 Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) England) Order 2015 (or any Order revoking and re-enacting that Order), the discount food store hereby approved shall only have a maximum of twenty five percent (25%) of the total floor space used for the sale of the following goods:

i) Clothing and footwear, fashion accessories including handbags and luggage, watches and jewellery;

ii) Pharmaceutical and personal care products (including perfumes, toiletries, spectacles and contact lenses;

iii) Books, music records and CDs, DVDs and other recorded media; and

iv) Toys

Reason: In the interest of preserving the vitality and viability of neighbouring District Centres in accordance with the NPPF and policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.

17 Notwithstanding the provisions of Part 7, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) order 2015 (or any Order revising, revoking and re-enacting that Order) no enlargement by way of extension, installation of a mezzanine floor or other alteration to any building the subject of this permission shall be carried out without express planning permission first being obtained.

Reason: In the interest of preserving the vitality and viability of neighbouring District Centres in accordance with the NPPF and policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.

BREEAM

18 Before the development commences, written documentary evidence

demonstrating that the development will achieve at minimum' Very Good' against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.

19 Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Very Good against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.
Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.

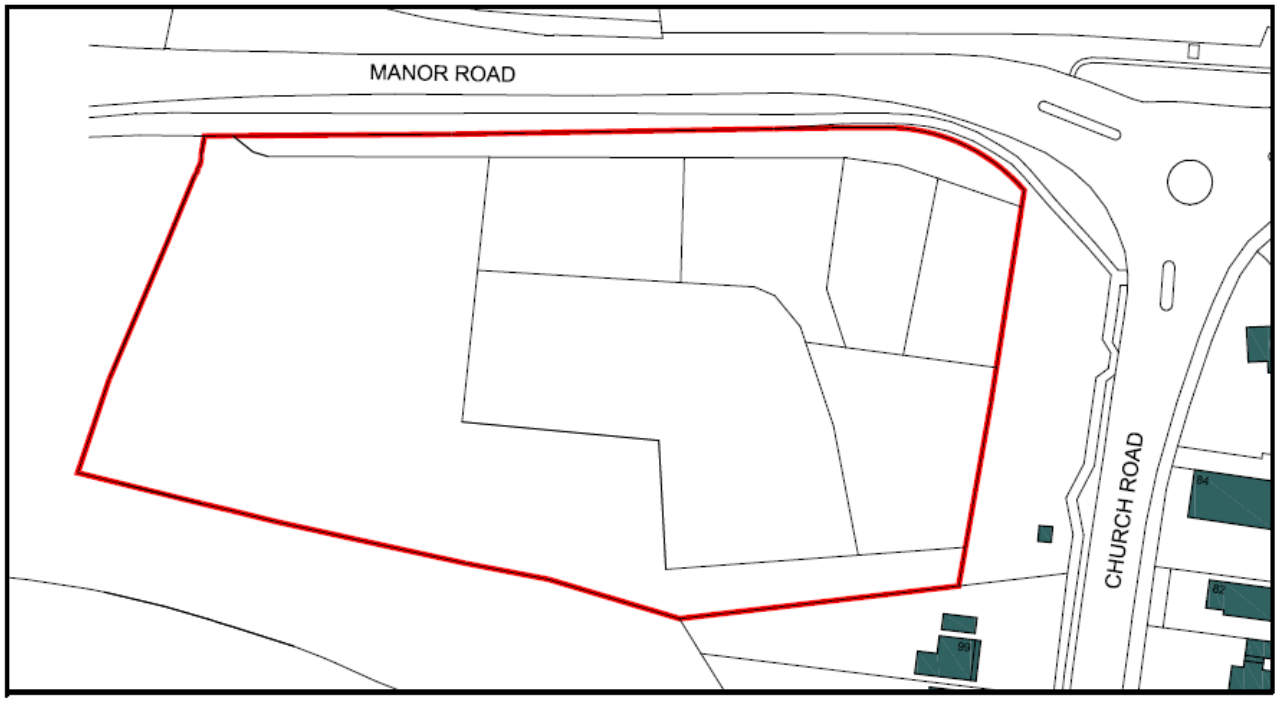
Cycle safety

20 The store hereby permitted shall not open until full details of the measures to ensure the safety of users of the proposed cycle storage, including CCTV, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

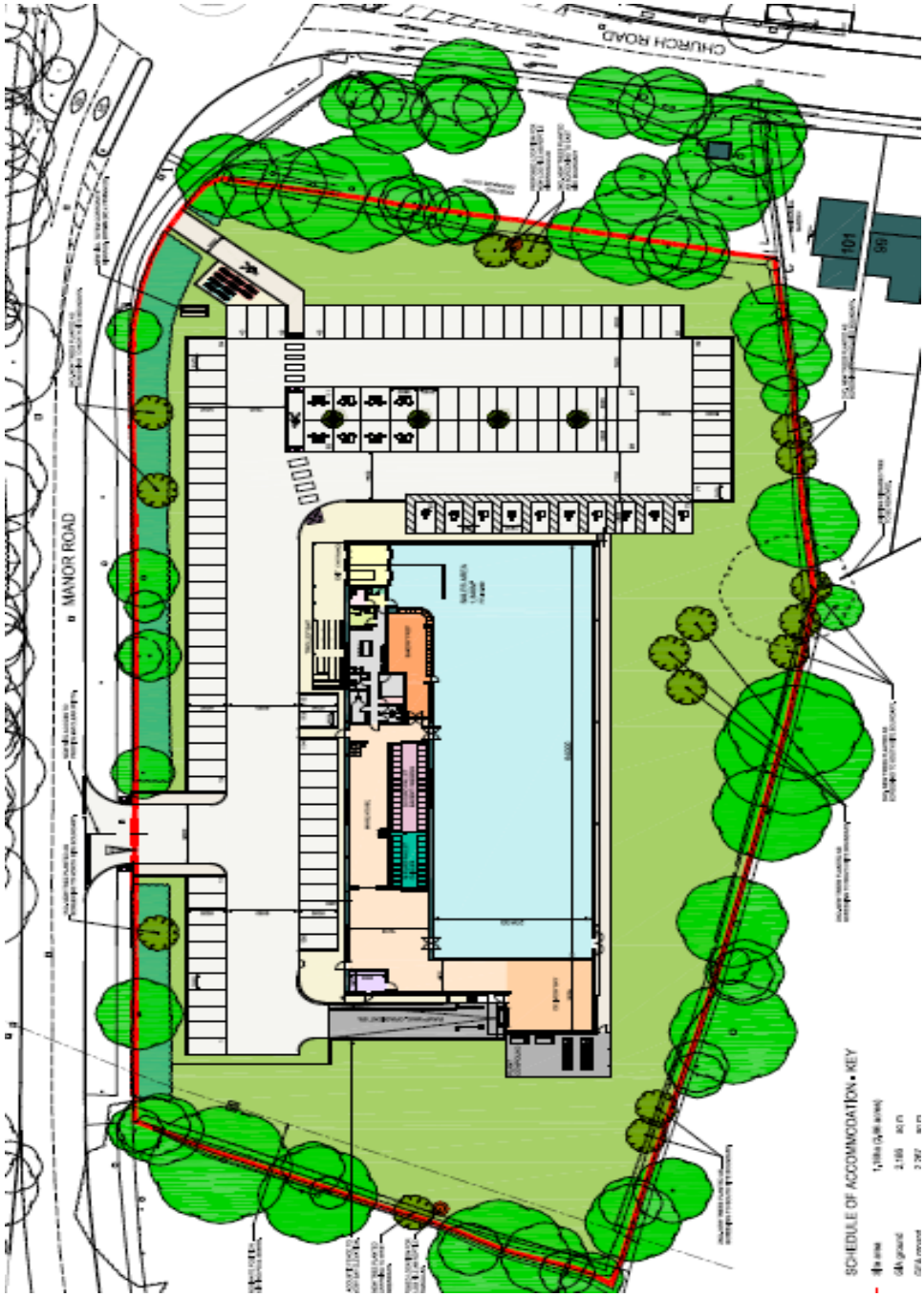
Appendices:

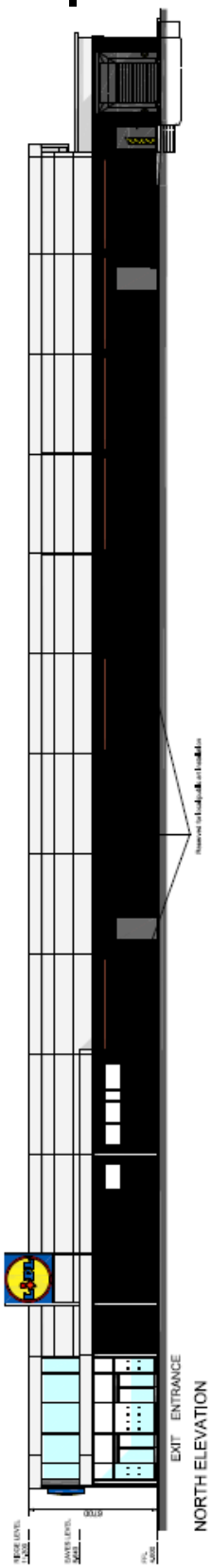
(A) Location Plan
(B) Site layout plan
(C) Proposed elevations
(D) Proposed section of store and 101 Church Road
(E) Proposed access arrangement

Site Location Plan



APPENDIX B **Site Layout Plan**

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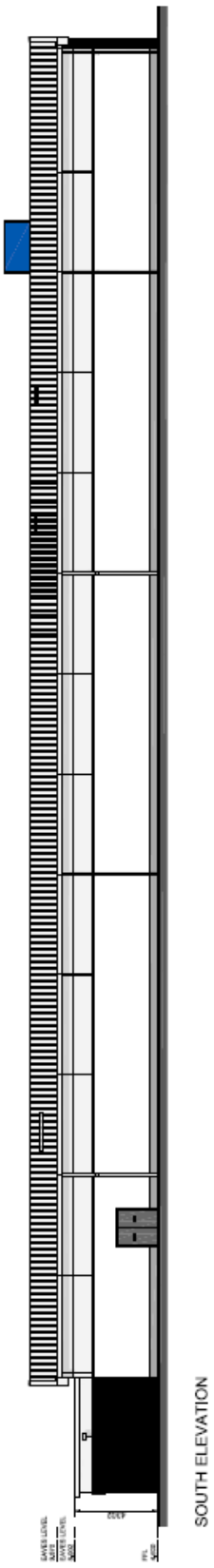
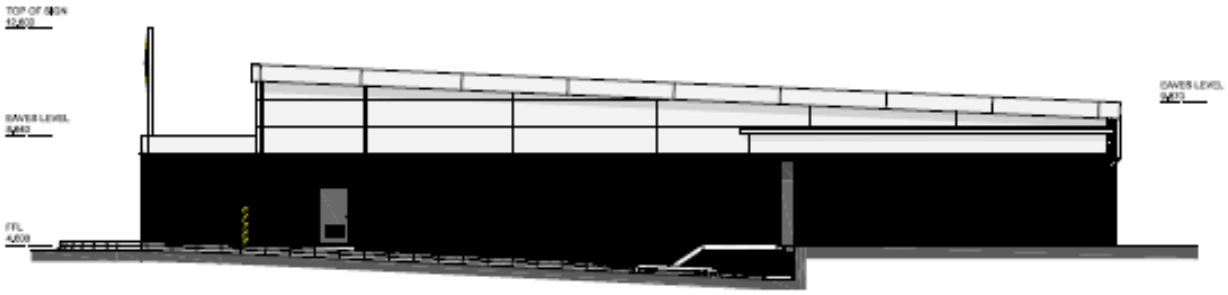
NORTH ELEVATION


SOUTH ELEVATION

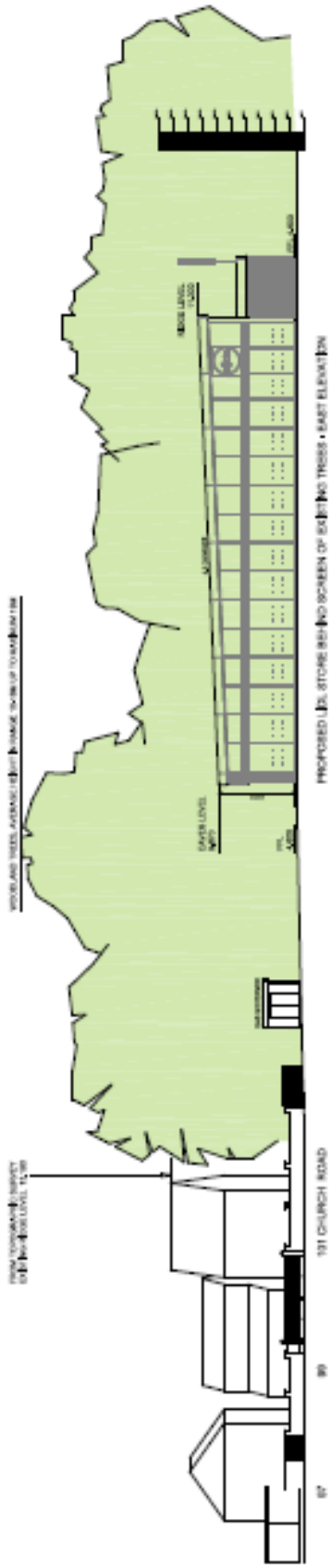
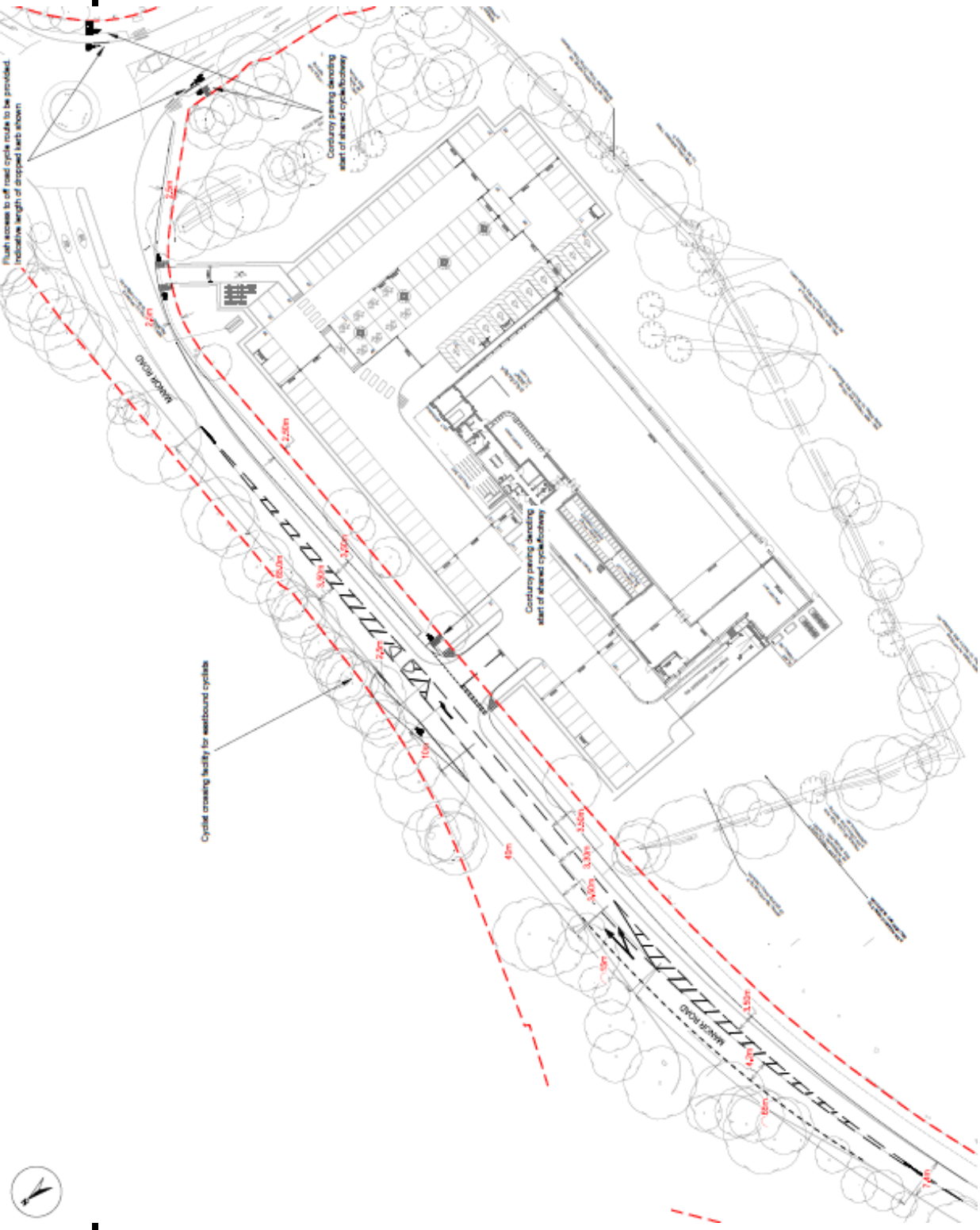
EAST ELEVATION



WEST SECTION / ELEVATION

APPENDIX D

Site Section in relation to Church Road



Proposed Access Arrangement **APPENDIX E**