
Site Address: Land at Rook Farm, St Marys Road, Hayling Island
Proposal: Outline planning application for the erection of up to 210 residential dwellings (including affordable housing) and 0.6ha for apartments with care (C2), structural planting and landscaping, informal public open space, children's play areas, sustainable drainage system (SuDS) vehicular access from St Mary's Road and associated ancillary works. All matters reserved with the exception of the main vehicular access.

Application No: APP/17/00007

Expiry Date: 14/04/2017

Applicant: Gladman Developments Ltd

Agent:

Case Officer: David Eaves

Ward: Hayling West

Recommendation: **REFUSE OUTLINE CONSENT**

1 Site Description

The site comprises an 11.81 hectare area of agricultural land and farm building located in a central position in the south of Hayling Island. The site lies to the west of Church Road and to the north and west of St Marys Road, residential properties back onto the site to the east and south. There are fields to the north and west. To the north-east of the site is St Marys Church a Grade 2 Listed Building. There is also a gated access off Rook Farm Way to a barn located within the site.

The land is mainly open in character comprising two large fields and a smaller field with trees around the edge of the site and within the central part of the site, some of the boundary trees are subject to Tree Preservation Orders. There are also field boundary hedges. A small pond is located in the centre of the site and there are ditches crossing the site and along part of the western and northern boundaries.

2 Planning History

There are no relevant planning applications associated with this application.

The site's policy background and status is considered in detail under Policy Considerations in part 7 of this report.

3 Proposal

Outline planning application for the erection of up to 210 residential dwellings (including affordable housing) and 0.6ha for apartments with care (C2), structural planting and landscaping, informal public open space, children's play areas, sustainable drainage system (SuDS) vehicular access from St Mary's Road and associated ancillary works.

The application is in Outline form with all matters reserved with the exception of the proposed access which would be from St Marys Road.

An indicative site layout has been provided with the application which indicates a layout of residential development including Apartments with Care (C2) close to the vehicular access route, retained vegetation in the centre of the site, attenuation

basins, open space and play area, tree planting, footways and cycleways and links to the wider footpath network. The residential areas would be served by a series of cul-de-sacs.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS1	(Health and Wellbeing)
CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS13	(Green Infrastructure)
CS14	(Efficient Use of Resources)
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)
CS3	(Skills and Employability)
CS7	()
CS9	(Housing)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM7	(Elderly and Specialist Housing Provision)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
DM23	(Sites for Brent Geese and Waders)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Local Plan Housing Statement December 2016

Both as a position statement of the Councils most up to date planning policy position and as part of Regulation 18 of the Town and Country Planning (Local Planning) (England) regulations 2012 work on the Emerging Local Plan 2036
Site UE77 Land at Rook Farm - Site with uncertain potential at this stage on Hayling Island

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Housing SPD July 2011

Havant Borough Townscape, Landscape and Seascape Character Assessment

Listed Building Grade: Grade 2* (St Marys Church to the north-east of the site)
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Not able to offer any in depth comments at this stage due to the application being outline.

However we must be aware that there are some important trees on the site boundaries that should be given adequate space once a more comprehensive scheme is proposed.

Building Control HBC

Unable to fully check for Fire Authority access, unprotected areas between buildings, bin storage provisions and chimney/flue heights due to limited information.

A public foul sewer is located near the site, which may require Southern Water consultation.

Conservation Officer

There are no designated heritage assets within the site itself. However, there are some listed buildings within the immediate vicinity of the site. These include:

- St Mary's Church - Grade II*
- Farm Cottage and Rook Farmhouse - Grade II

Policy Context

The correct weight should be attributed to the desirability of preserving the setting of the listed buildings from the outset, in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”

The above statute and its subsequent and consistent interpretation in recent high court decisions emphasises the need for the policies of the NPPF to be implemented whilst always having regard to the need to give special or greater weight to the preservation of the setting of a listed building.

The National Planning Policy Framework (NPPF) was published in March 2012 and sets down the policies that the Council must take into account when determining planning applications. This supersedes PPS 5, however, English Heritage (web-site 23 April 2012) advises that the Practice Guide (HEPPG) remains a valid and Government endorsed document pending Government's review of guidance supporting national planning policy as set out in its response to the select Committee.

The NPPF sets out, in paragraph 17, the 12 core planning principles that local planning authorities should consider in making planning decisions. One of these core principles relates directly to conserving heritage assets, as follows

“Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this

and future generations;”

Paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. It also goes on to state that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Paragraph 133 provides guidance in relation to development proposals that cause 'substantial harm'. While, paragraph 134 of the National Planning Policy Framework states that where a development will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Paragraph 64 (Section 7 – Requiring Good Design) is also particularly relevant to this case in that development should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy CS11 of the Core Strategy states that planning permission will be granted for development that:

Protects and where appropriate enhances the borough’s statutory and non statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

Policy CS16 (1a) of the Core Strategy states Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site.

Policy DM20 of the Allocations Plan states that development proposals must conserve and enhance the historic assets of Havant.

Significance of Heritage Assets

St Mary’s Church

St Mary’s Church is listed as Grade II* and dates back to the 13th century. The Church was restored in the 19th century but retains much of its medieval appearance. It is surrounded on all sides by a grave yard.

I agree with the heritage statement in regards of the historic significance of the Church when it states:

The heritage significance of the Church of St Mary is primarily derived from the architectural and historic interest of its physical fabric as an example of an ecclesiastical structure with 13th century origins. The setting of the asset also

contributes to its significance, although the significance derived from the setting is less than that from its historic fabric. Elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- *The positioning and experience of the asset from within the surrounding churchyard;*
- *The experience of the asset from Church Road; and*
- *The experience of the asset elements of the wider open landscape to the west, north-west and south-west.*

Within this context, the site forms part of the wider open landscape to the south-west of the asset.

Farm Cottage and Rook Farmhouse

Both of these dwellings are Grade II listed with the historic core of the properties dating from the 18th century. The two dwellings were once a single dwelling house and there have been a number of 19th and 20th century alterations. The listing description notes that the building is a good example of an 18th-century remodelling of an earlier house. The house would have originally been set within a large garden with agricultural land beyond. However, the former area of garden has been recently developed for houses.

It is considered that the significance of the listed buildings is primarily focused on the architectural merits of the form and construction of the dwellings. The immediate garden also contributes to the setting but the wider area has drastically changed with the introduction of the modern residential scheme.

Impact on the setting of listed buildings

St Mary's Church

The Church is best experienced from within the existing grounds (graveyard). From this location the architectural detail of the structure can be appreciated and the relationship with its surrounds understood. This experience can also be achieved from Church Road.

Clear views of the Church are also available from the Public Rights of Way that bound the application site. I agree with the heritage statement when it states that:

'the best views are obtainable from the PROW which runs north-west from the Church towards Manor Road . From this PROW when walking south-east towards the Church it is possible to gain clear views of the Church spire and the associated chancel '

The proposals for the development of the site have excluded residential development from the north-western area of the site, creating an area of public open space. This will allow for a degree of openness to be retained in the vicinity of the Public Rights of Ways to the west of the Church, and allow views of the Church from the northern parts of the Public Right of Way on the western boundary of the site to be retained. A view corridor from a southern point of this PROW to the church spire has also been

incorporated within the design of the development.

Development within the remainder of the site will result in a restriction of the views towards the Church from the south-west.

It is my view that the proposed development will result in a change to the overall character of the site which in turn will change views from parts of the Public Right of Way, bringing residential development closer. This view does however already have a backdrop of residential development to the south and south-east and the views in these directions. It is considered that the proposed development will result in the loss of some views of the Church from the south-west. However, such views are not considered to make a significant contribution to the experience of the asset.

As such, it is considered that the proposed development will result in a change that will cause minor harm to the significance of the Church of St Mary via a change in its setting. This harm is considered to be at the lower end of the less than substantial bracket.

Such harm therefore needs to be balanced against the public benefits of the scheme in line with Paragraph 134 of the NPPF. Within this context, the limited harm caused to the overall heritage significance of the asset should be considered.

Farm Cottage and Rook Farmhouse

As described above I consider the listed dwellings are best experienced from within the immediate grounds. The modern development has resulted in the wider agricultural land being divorced from the Listed Buildings. During my site visit (winter months) I could see that the buildings were not readily visible from the application site even with limited leaf coverage on trees. In the glimpsed views available these did not provide any understanding as to the former agricultural use of the buildings. I therefore consider that the wider agricultural setting with Rook Farm is negligible to the heritage significance of the assets.

In accordance with the NPPF I believe the degree of harm to these listed buildings would be less than substantial. In this context, the NPPF requires such harm to be weighed against the public benefits of the proposal.

Countryside Access Team

Government guidance considers that the effect of development on a right of way is a material consideration (para. 7.2, Rights of Way Circular 1/09) and that rights of way and green infrastructure should be protected and enhanced, including by adding new rights of way to the network (para. 75 and 109, National Planning Policy Framework). This is in line with the aims of the Hampshire Countryside Access Plan 2015-2025. Rights of way and green infrastructure are also afforded consideration under Policies CS1, CS11, CS13 and DM11 and DM12 of the Havant Borough Core Strategy (2011).

This site is bordered by Havant Footpaths 90, 92, 93 and 94, which are important sustainable travel links across Hayling Island. We welcome that this proposal seeks to retain the green buffer between these rights of way and the site.

We note that the proposal includes a number of new access routes for

pedestrians/cycles, which are welcomed. Should it be proposed that they be adopted as Public Rights of Way we would require them to be made up to Countryside Service Design Standards and a commuted sum be provided for their future maintenance. In such instances, we would recommend that the applicant contact us as soon as possible to discuss these details further.

We also note that some of the new pedestrian/cycle access routes would connect to the existing PROW, which currently only have pedestrian access rights. We therefore request clarification of whether additional cycle access rights have been sought from the landowner.

Notwithstanding this, this development of up to 210 dwellings will increase the recreational and utility pressure upon the surrounding rights of way network. In order to mitigate these impacts and support the aims of Policies CS1, DM11 and DM12, we would expect developer contributions towards upgrading the surrounding rights of way.

With regard to this, we request that the applicant provides a contribution towards upgrading Footpaths 92 and 93 to cycle standards along the boundary of the development in order to link with the cycle track proposals. This enhancement would improve cycle access between Newtown, the site and Gable Head. We also request a contribution towards upgrading the surface of Footpath 89 in order to support pedestrian movement between the site, Newtown (north) and The Hayling College cycle track proposals. This enhancement would improve cycle access between Newtown, the site and Gable Head. We also request a contribution towards upgrading the surface of Footpath 89 in order to support pedestrian movement between the site, Newtown (north) and The Hayling College.

In requesting the following be secured through a S106 agreement, consideration should be given to the added value they will provide in supporting sustainable travel and the intrinsic benefits in health and wellbeing they will bring to local residents in providing improved access routes:

1. In the interest of public amenity and sustainable travel, the applicant provides a financial contribution of £67,584 towards upgrading Havant Footpaths 92 and 93.

This contribution would break-down as follows:

- a. Upgrading the surface of Havant Footpaths 92 and 93 to cycle standards (768m @ £80/m): £61,440
- b. Providing ongoing maintenance costs for these enhanced routes (10% over 10 years): £6,144

2. In the interest of public amenity and sustainable travel, the applicant provides a financial contribution of £23,760 towards enhancing Havant Footpath 89.

This contribution would break-down as follows:

- a. Resurfacing of Havant Footpath 89 (540m @ £40/m): £21,600
- b. Providing ongoing maintenance costs for the enhanced route (10% over 10 years): £2,160

We also request that the applicant is made aware of the following requirements through informatives:

1. There must be no surface alterations to the right of way, nor any works carried

out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal that permission would be required from this department of the County Council. To carry out any such works without this permission would constitute an offence under S131 Highways Act 1980, and we would therefore encourage the applicant to contact us as soon as possible to discuss any works of this nature.

2. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.

3. No builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.

4. If there is likely to be an effect on the footpath in terms of dust, noise or other obstruction during the period of the works, we suggest that a Health and Safety Risk Assessment be carried out, and if there is deemed to be a risk to users of the footpath, the applicant should contact the County Council directly to discuss the Temporary Closure of the footpath for the duration of the works. Temporary Closure Orders should be applied for at least 6 weeks prior to the commencement of works and details of how to apply can be found at <http://www3.hants.gov.uk/row/making-changes/temp-closures.htm>

County Ecologist

In summary, the submitted ecological information is not adequate and there is potential for this proposal to result in impacts to nationally- and internationally-designated habitats and species. Additional information is required.

The site is featured within the Solent Waders & Brent Goose Strategy (SWBGS) as Site H46B. The site has previously been considered to be of low value for wintering brent geese but recent evidence has come to light that significant numbers of brent geese do indeed use this site. For example, up to 500 birds have been present regularly during the winter of 2014/15 and birds have again been present this winter. These records have been verified by photography and there is no doubt that they are correct. The submitted Ecological Appraisal (Baker Consultants, December 2016) has not been informed by these records: unfortunately an administrative error has meant that the records for H46B were assigned to another nearby site (H45). This error has now been rectified and all data will be published within a refreshed SWBGS due in the coming few weeks. Similarly, the 'Status of' document produced by Havant Borough Council has now been amended to reflect the new data.

On a more general point, the ecology report does not really comprehend the high importance of Hayling Island as a refuge for SPA/Ramsar species. Thousands of brent geese utilise fields within Hayling throughout the winter and large numbers of waders are also present inland. Some of the largest concentrations of brent geese in the eastern Solent are found on Hayling. The applicant's ecologist will need to revisit the SWBGS data and consider the need to undertake further field survey effort to establish the use of the site by SPA/Ramsar species. The presence of significant numbers of brent geese on this site will require the provision of a suitable mitigation strategy.

The loss of this site will therefore likely have a significant impact on bird species associated with the nearby Chichester & Langstone Harbours SPA/Ramsar. The proposed layout offers no space for adequate mitigation of this issue and, in any

case, the proximity of built development is likely to render any retained greenspace unattractive to geese. The only feasible mitigation option would be to secure the protection of suitable habitat nearby so that geese would have an equivalent field within which to rest and feed. The use of sites by SPA/Ramsar bird species on Hayling is complex and is influenced by the availability of land in suitable crop type.

In terms of general ecology, the site is unremarkable but does offer potential for supporting species such as roosting/foraging/commuting bats and reptiles. Further survey works are recommended for the on-site building and I would concur with the need for bat activity surveys. If there is suitable reptile habitat within the site then further surveys are also appropriate. The nearby pond has been recommended for great crested newt surveys.

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

I would expect Natural England to object to this proposal in its current form due to the potential for likely significant effect on the SPA/Ramsar.

County Archaeologist

I would draw your attention to the HERITAGE AND ARCHAEOLOGICAL ASSESSMENT that is included among the documentation attached to the above application on your website. This assessment concludes that:

'This Assessment has identified evidence of general prehistoric and Roman activity within the study area, and Hayling Island as a whole. Based upon this information it is considered that there is some low potential for below ground remains of prehistoric and Roman dates to be present within the site.

The current site of St Mary's Church to the north-east of the site has been postulated as the site of potential early medieval activity, although this is not proven. There is no current evidence to suggest early medieval activity within the site.

There is no evidence for medieval or later settlement activity within the site, and it is thought to have comprised farmland from the medieval period onwards. As such any unknown archaeological features dating to the medieval and post-medieval periods are likely to comprise agricultural features of low archaeological significance. Such features might include remains of field boundary ditches and drainage ditches or channels.

There is no current evidence to suggest that any archaeological remains present within the site are of a significance as to preclude development.'

While I would concur with the final three paragraphs of this conclusion, I would take odds with the first. The assessment does not take into account finds reported to the Portable Antiquities Scheme (PAS) which include a spread of coins dating from the late Iron Age that were found immediately to the north of the site. This find, together with the general spread of later prehistoric and Roman activity across Hayling as a whole and the relatively undisturbed nature of the site, means that I would advise the

archaeological potential for as yet unrecorded archaeological features within the site should be considered as moderate, rather than low. Given the scale of the proposed development it is possible that any previously unidentified archaeological deposits would be disturbed by the ground works associated with development. Therefore while this does not present an overriding concern I would recommend that the assessment and recording of any archaeological deposits be secured through the attachment of suitable conditions to any planning consent that might be granted. For instance:

1) That no development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. In the first instance this assessment should take the form of a geophysical survey in order to map anomalies of possible archaeological origin within the site, followed by the excavation of trial trenches that are located across these anomalies, with further trenching located across the remainder of the development area in order to check for features that may have been missed by the Geophysics
Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.

2) That no development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the initial evaluation in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.
Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

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

Crime Prevention -Major Apps

The proposal appears to create new accesses on to the existing external footpath number 94. The proposed development will have high levels of both formal and informal permeability and connectivity with the existing external footpath network. The proposal shows large areas of public open space. There is very little natural surveillance of the informal connectivity and the public open spaces; which increases the vulnerability of the development to anti-social behaviour and crime. Should incidents occur the development will be very difficult to police. To reduce the opportunities for crime and anti-social behaviour I would recommend that the proposed connectivity with the existing footpath is omitted from the final scheme.

To provide for the safety and security of residents and visitors lighting within the development should conform to the relevant sections of BS 4589:2013.

Officer Comment - The final layout would be subject to a reserved matters application should permission have been recommended. Issues relating to crime prevention could be addressed at this stage.

Department of Transport, Highways England

Notice is hereby given that Highways England's formal recommendation is that we:

Offer no objection

Highways Act Section 175B is not relevant to this application.

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our licence.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. In the case of this development proposal, our interest is in the A27.

Having examined the above application, we do not offer any planning objections to this proposal. We have reviewed the Transport Assessment (which includes LINSIG modelling of the Langstone Roundabout) supporting the application and conclude there will unlikely be a significant impact to the safe and efficient operation of the A27. However, we note in the 'Guidance for Site Specific Infrastructure Delivery Statement' dated December 2016, which states the following in relation to Hayling Island: *"Two housing development sites on Hayling Island are considered to have uncertain potential for development. The strategic infrastructure constraints facing this part of the Borough mean that the suitability of these sites will be fully explored through the comprehensive Local Plan Infrastructure Delivery Statement that will be part of the Havant Borough Local Plan 2036. This will highlight constraints at a site-specific level together with strategic infrastructure issues on Hayling Island and whether there is scope to mitigate these constraints and issues."*

In view of the above we would be concerned about further future development on Hayling Island without strategic infrastructure needs issues being addressed. We look forward to the opportunity to being involved in the development of the Havant Local Plan 2036 and the supporting Infrastructure Delivery Statement.

Education Department

The proposed development of 210 dwellings would usually be expected to generate a total of 63 additional primary age children. This is based on a figure of 0.3 primary age children per new dwelling which was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary age children on those developments.

The development site is served by Mill Rythe Infant and Junior Schools which are full and forecast to remain so from the number of pupils living on Hayling Island. Consequently additional primary school places will be needed to cater for the additional 63 pupils and a contribution is sought from the developer to pay for this expansion. Owing to the movement of pupils around Hayling Island the pupils from this proposed development are likely to be able to be accommodated in the Mill Rythe pair of schools but this will, in turn, displace pupils to be accommodated with the pair of Mengham Schools. On that basis, in this instance, the contribution will go towards the proposed expansion of the Mengham pair of schools. Although there is pupil movement within Hayling Island overall the area is full and forecast to remain so for the foreseeable future. Details of the forecasting methodology used, along with the current pupil numbers in the Hayling Island schools can be found at Appendix A.

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

The County Council has used previous extension projects to derive a cost for the proposed expansion, and this is estimated at **£896,633** on a pro-rata basis for the cost of the additional classrooms required. Details of how these costs were derived can be found in Appendix B. This will go towards the proposed expansion of the Mengham Schools. Please note that these costs are at 4Q2015 price base and the contribution will be subject to indexation using the BCIS All-in TPI Index.

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

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

Recommendation

The County Council, as Local Education Authority, raises no objection to the planning application subject to:

The following Grampian planning condition being included in any planning permission in order to mitigate the impact of the development on educational infrastructure and ensure that sufficient school places are provided to accommodate the additional children expected to be generated by the development.

No development shall take place until a scheme to provide additional school places at Mengham Infant and Junior Schools has been agreed in writing by the Local Planning Authority, in consultation with the Local Education Authority. No part of the development shall be occupied until the approved scheme has been implemented.

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

Engineering/Drainage

No comments received

Community Infrastructure Officer HBC

The applicant's solicitors confirm that they are willing to discuss the following obligations:

1. Open Space – on site play should be provided by the developer and arrangements for maintenance incorporated in the Management Plan
2. Community Facilities

3. Designated Sites - SRMP currently £176 (indexed) per dwelling, this will increase to an estimated £178 at 1/4/2017 (amount to be confirmed when figures obtained from Partnership)
4. Affordable Housing (they suggest this is dealt with through condition) – some additional detail required through S106?
5. Other - identified through the planning process?

This development will be subject to CIL (at a later stage), SRMP and provision of affordable housing (see comments above) and possibly other site specific obligations due to the size of this green field development.

Monitoring Fees: It is customary with the S106 to charge an amount for monitoring. Details provided.

Other Heads of Term likely to be identified:

- . Management Company
- . Management Plan
- . SUDS
- . Employment and Skills Plan
- . Education?
- . Travel Plan?
- . Highway Works?
- . Site Specific Transport Improvements?

Community Infrastructure Levy

The site will be CIL Liable at such time as a Reserved Matters application is permitted . There is no policy provision for site specific contributions to be collected in respect of off site play or Community Facilities. Please refer to the councils Regulation 123 List: <http://www.havant.gov.uk/sites/default/files/documents/Regulation%20123%20List%20-%20201%20August%202013%20%28updated%208%20July%202015%29.pdf>

Additional Comment:

SEE THE HBC DEVELOPER CONTRIBUTIONS GUIDE FOR ADDITIONAL INFORMATION:

<https://www.havant.gov.uk/sites/default/files/documents/Havant%20Developer%20Contributions%20Guide%20Oct%202016.pdf>

Environmental Health HBC

Contamination/Air Quality

I have read the supporting documents to this application, inclusive of the Transport Assessment, Travel Plan, Air Quality Scoping , Flood Risk & Drainage (SuDS) strategy, Phase 1 Site Investigation, and a cross section of Public Comments.

I would like to provide some brief comments, and will limit these to broadly those subject areas of concern to Environmental Health.

Public Comments

It is noted that the subject areas principally raised in objection to this application relate to the capacity of the road network, increased traffic & related pollution, the risk

of congestion / increase in journey times, and capacity issues relating to other local infrastructure.

In respect of the latter, the capacity of the foul sewerage system has been identified as a concern, with residents referring to i) surcharge in foul systems resulting in surface flooding and ii) discharges of foul sewerage to the Harbour either by overflow connections with surface water systems, or directly by means of historic overflow provisions.

I will touch on the capacity / traffic / congestion issues in comments on the transport assessment / travel plan / air quality scoping, but in relation to the foul drainage, my only comment is to highlight the sensitivity of harbour waters / habitat to contamination from organic matter, nitrates, phosphates & ammonia. Given the protection status of the Harbour (SSSI / SPA / SAC / RAMSAR etc.), any risk of exacerbating existing sewerage inputs should be adequately considered in the detailed foul drainage design.

It may be necessary to address localised capacity issues at key nodes in the public system, and it is anticipated that the s106 process could be used for this purpose. I would not anticipate that works required to ensure capacity / mitigate pollution risk will be uneconomic within the context of the development.

I expect Southern Water to provide detailed comment in this regard at the reserved matters stage.

Transport Assessment & Air Quality

It is noted that the transport assessment has a broad scope for a development of this scale; considering a road network of some 7 kilometres that includes the most congested junctions, and routes where roadside air quality is poorest.

The assessment is considered to have been based upon robust assumptions and good quality baseline data with regards journey times, vehicle speeds and flow volume / timing. Trip rate generation estimates are considered reasonable, and I have no acute concerns in respect of the methodology or analysis.

The report acknowledges the limitations of the models employed in terms of their ability to accurately account for driver behaviour (appropriate lane selection) and turning movements blocked by queues (which may be caused by poor lane selection, or other driver behaviours not accounted for with the model).

In terms of overall outcomes, it is notable that the assessment concludes that theoretical practical reserve capacity at all junctions considered (& unused theoretical capacity exists at all roads assessed). The report acknowledges that this does not necessarily align closely with real-world conditions, recognising that other factors contribute to local congestion issues. This is particularly the case in relation to the Langstone Road / Park Road / A27 Junction where congestion related to the particularly tidal traffic flows on- & off- Hayling Island are not uncommon.

Langstone Road & A27/A3023/B2149 Junction

Local observations reported identify a traffic 'bottleneck' relating to the merging of the two southbound lanes at the north end of Langstone Road, thought to account for a degree of queuing at this location. Analysis of survey data indicates that the right-turn ghost islands south of the Langstone Technology Park Access are underused, and

could be modified (shortened / narrowed) to increase the lane merge length on the Southbound carriageway of Langstone Road. The effect of this is expected to increase stacking capacity and provide more time / distance for gap seeking; though modelling has not been undertaken to quantify the degree of benefit that could be realised.

Havant Borough Council has through its own monitoring recently identified a kerbside air quality issue at the East Side of Langstone Road, spatially (but not necessarily causally) associated with the merging zone of these lanes. Whilst the cause and extent of this local air quality issue has not yet been robustly established, it is considered plausible that the locally elevated road traffic related pollution could be associated with either (or both) i) increased queuing on this section of road (stationary, idling traffic) resulting from the conditions specifically identified in the Prime Transport TA report, &/or ii) aggressive driver behaviour when merging / gap seeking (acceleration / deceleration), both to utilise gaps and to avoid others making swift &/or sudden lane-changes.

It is conceivable that the latter could be exacerbated by driver frustration / impatience linked to previous delays, for example at the A27 junction.

Langstone Road & A27/A3023/B2149 Junction

In respect of the A27 junction, a manual optimisation of signal timings (within the model) at the A27/A3023/B2149 junction identified potential for significant betterment to junction performance, without making any changes to lane geometries or lane selection parameters (routing or driver behaviour). This suggests that improvements to current flows should be theoretically possible through adjustment of traffic signals.

I note that the report indicates that Gladman would be willing to fund the relatively minor highways improvements on the A3023 Langstone Road.

Whilst I recognise that the scale of the impact of suggested changes on local traffic flow is unquantified, the evidence based argument for the making of such changes is compelling, and I would expect a net improvement to highway function to be more likely than would a detrimental impact on the primary flow.

Subject to the opinion of HCC Highways (particularly as regards safety), I would fully support the making of the proposed alterations on the basis of both improved traffic flow (reduction in congestion), and the analogous potential for a material improvement in air quality at a location where substantial exceedances of air quality objectives have been identified at the kerbside.

I would similarly recommend that the signal timing modelling is carefully examined with a view to implementing changes in line with the presented model, should it be the conclusion of HCC Highways that it is plausible for the theoretical flow improvements to be realised under real-world conditions.

The combination of these two factors could have a substantial positive impact for both highways and air quality.

Hayling Bridge, Capacity

The assessment of Hayling Bridge capacity is accepted, as are the arguments for link capacity thresholds being somewhat conservative, if only in terms of the assumed

HGV threshold being significantly higher than that observed utilising the bridge.

The bridge is not considered to represent the principal flow bottleneck in the context of the modelled network, and whilst it is acknowledged that several respondents have referred to the need for an additional bridge to the Island, I would consider this to be both well beyond the scope of an application such as this in terms of proportionality, and arguably impractical given the current traffic routing constraints that exist both to the South of the A27 junction, and within the Northern part of Hayling Island.

Development Trip Generation

Vehicle trips associated with new development are generally regarded as being new to the road network, and it is recognised that residents of Hayling Island are likely to be more reliant on the private motor car than would residents of mainland locations better served by public transport, retail / employment and community services.

It is similarly recognised that the development traffic will show a significant routing bias to the North, where routing options are constrained.

The 12 hr trip generation rate associated with the development is estimated to be 1366 vehicles. The basis for the estimate incorporates a degree of uncertainty, but contributory factors introduce opposing bias, and so the estimate is regarded as being reasonable for a development of this type, in this location.

The 1366 12hr value equates to approximately 1545 as an AADT (additional trips, on the average 24hr day). This equates to a substantial proportional increase of around +50% current flows on St. Mary's Road (100% traffic utilisation). In air quality terms, this increase is from a low base & is therefore unlikely to be material in terms of this individual road link, with the school likely to continue to represent the greatest focus of traffic at this location.

However, potential for congestion at the Tournerbury / St Mary's Rd. / Elm Grove / Church Lane junction was raised by many in objection to APP/12/00966 (Land South of Beech Grove / North of Goldring Close), with many objectors citing the location of the Co-operative store on the corner of Tournerbury Lane as being a contributory factor to local congestion.

The Prime Transport report indicates that development contribution to this junction will be up to 9.5% (PM Peak). Calculations show that the daily impact could also be of this order (assuming an total junction flow of around 15-16,000 AADT), and it is recognised that the model employed (which concludes sufficient practical reserve capacity to accommodate the development under all scenarios) does not effectively account for driver behaviour in heavy traffic (e.g. lane blocking). The level of traffic increase at this junction, and the anecdotal reports of local issues during peak flows (notably not observed by Prime Transport in their 2016 survey) would lead me to conclude that a disproportionate impact at this junction is possible, and consideration of local Air Quality at this location is important. It is recommended that the impact of turning movements to the Co-operative access is considered alongside the highway junction arms within the assessment at this location.

Potential highways impacts as regards safety, junction function, and impact on journey times are for others to address.

Wardell Armstrong Air Quality Scoping

The air quality assessment described is considered to represent a comprehensive & robust scope, considering both short & long term impacts, local & remote, and impacts to both human health & the wider environment. Relative to the scale of the development, the proposed assessment has a broad scope and represents a significant degree of environmental commitment. The technical details are, as is suggested within the scoping document, agreed.

However, the report represents scoping only. In the absence of either the degree or locality of any adverse air quality impacts being quantified at this stage, I am unclear on the 'fall back' position in the event that (following the granting of outline consent) a significant adverse air quality impact is later identified at a key location on the network considered.

It is recognised that all matters are reserved other than the site access, the outline consent still relates to the development of 210 dwellings, to which the traffic related pollution is attributed. Are we able to rely upon the use of the phrase 'up to' in the development description to reduce the quantum of accommodation in response to significant adverse impacts, or would adverse results simply inform s106 negotiations for highways improvements or other sustainable travel contributions in mitigation for (off-set of-) negative impacts? Without quantification and identification of affected location(s), it is unclear whether mitigation would be economic.

It is a planning question as to whether it is procedurally reasonable to grant outline consent for a given quantum of development in the absence of a full assessment of the likely impacts. Based upon the traffic assessment submitted, I consider it unlikely that a severe material impact on local air quality would be identified, so this may be an academic question.

The transport assessment highlights feasible mitigation options that could deliver real-world air quality improvement, and any local issues are likely to be spatially focussed upon the vicinity of the site access, where relatively minor junction alterations could represent a reasonable solution without placing the viability of the scheme at risk.

I would recommend that the scope of air quality modelling be expanded marginally to consider a scenario that includes the proposed highway alterations to the Langstone Road southbound merging, in order to quantify the likely impact in terms of local air quality (and thus the mitigation value in the event that significant adverse impacts are identified elsewhere in the network that require mitigation or off-set).

On the basis of the above, I do not object to the granting of outline consent, subject to the air quality assessment described in the Wardell Armstrong Assessment Methodology Ref: CMD/EZ/LE13606/002 informing the reserved matters application(s) to follow. In the event that it is considered appropriate to secure this assessment specifically by condition, please contact me to discuss appropriate wording.

Travel Plan

Lacking key information relating to the quantum of development, detailed parking provisions, s106 provisions, or air quality impacts, the travel plan is perhaps unavoidably broad & relatively generic. The document recognises that it represents a framework which will evolve in response to detailed development plans, related assessments, and resident behaviours upon occupation.

It is understood that Hampshire County Council has responsibility to ensuring that the targets & objectives of the travel plan are met. I am unclear on the scope of contingency arrangements in the event of repeated failure to meet targets after 100% occupation.

If the evolution of the travel plan includes provisions specific to the mitigation of adverse development impacts in respect of air quality, it will be important to ensure a mechanism of oversight, and clarity in contingency measures to achieve the key objectives & outcomes.

Ground Contamination, Phase 1 Preliminary Risk Assessment

The phase 1 assessment submitted would appear to be a comprehensive assessment, adequate to broadly categorise areas of the site in terms of probable risk, and to inform the scoping of the phase 2 assessment proposed.

It is noted that whilst this assessment included some elements of intrusive investigation, no chemical sampling was undertaken. In this respect, a low density confirmatory Phase 2 assessment across areas of the site identified to be low risk is agreed to be appropriate. Higher risk areas of the site were identified, notably including some raised land, farm buildings & fuel storage areas central to the site, alongside farm tracks and other surface workings.

The UXO/UXB assessment was informative, and identified a non-negligible risk in terms of the potential for presence of ordnance. It is considered essential that a robust watching brief be maintained, with all groundworks staff being briefed on contamination & UXO/UXB prior to being cleared to work at the site.

Conclusions & recommendations of the LKC Ltd. report are agreed, and the recommended investigations / assessments (and any remedial or risk mitigation works subsequently identified as being necessary) are secured by suitable condition, suggested wording overleaf.

Investigation & Mitigation of Contamination Risks, Watching Brief [1]

"Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) An intrusive site investigation based on the proposals outlined within the LK Consult Ltd. Phase 1 Preliminary Risk Assessment Ref: LKC 16 1109 (Nov 2016); to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.*
- 2) The results of an appropriate risk assessment based upon (1), and*

where unacceptable risks are identified, a Remediation Strategy that includes;

- appropriately considered remedial objectives,
- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
- clearly defined proposals for mitigation of the identified risks.

- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority. Both intrusive investigative works & construction groundworks shall proceed in broad accordance with the watching brief outlined in the above referenced LC Consult report, having due regard for the recommendations of the Zetica risk assessment in relation to unexploded ordnance.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site."

Verification (Remediation / Mitigation of Contamination) [2]

"Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with **condition [1, part 3]** shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future site occupiers."

Drainage Strategy / SuDS

It is understood that the drainage strategy has accounted for a likely increase in surface water flows under a 'with development' scenario relative to greenfield runoff rates; calculating required storage volume for proposed attenuation ponds &

permissible outflow rates.

Residential roofwater runoff is very low risk (in pollution terms), and residential roads low risk. With the exception of below ground runoff (volume) attenuation tanks, the SuDs measures identified as being feasible (permeable surfaces, detention basins, ponds, swales, filter strips) will be adequate to mitigate anticipated pollution inputs.

It is understood that flow rates will be limited by means of passive hydrobrake controlled outlets, calibrated to runoff rates equivalent to between 30 & 110 l/s on a whole-site / all outlet basis, dependent upon storm intensity.

Detailed design has not been undertaken, and it is understood that this is to be a reserved matter. It is understood that infiltration is considered to be suitable within some areas, and it would appear that below ground storage is under consideration. It would appear likely from the sewer maps that any discharge to public system is likely to issue from short outfalls at the seafront. The scheme should take care to ensure that effective interception is incorporated into the initial stages of the treatment train where there is a non-negligible pollution risk and discharges are either to ground (e.g. via infiltration) or via pre-fabricated attenuation tank to public sewer.

I've no material pollution concerns as regards surface water drainage in the context of the outline application. It is assumed that the detailed scheme of surface water management systems (including SuDS) will be specifically referenced as a reserved matter (subject to future application).

Environmental Health (Noise)

I have read the acoustic report and agree with its findings in relation to minimising the noise impact on the proposed dwellings. I should be grateful if a condition could be added to the consent for the developer to fully implement the findings and recommendation of the report.

Further, to ensure further protection to the existing residents of surrounding area, conditions recommended in relation to:

Noise generated from delivery vehicles and times of delivery

Lighting scheme

Disposal of waste related to the use of the premises

Noise from demolition/Construction

Dust suppression method

Landscape Team HBC

There is no landscape objection to this application in principle.

At this stage there is limited information to review for landscape consideration, but we make the following comments:

- The Havant Borough Townscape, Landscape and Seascape character assessment describes the site location as 'an open agricultural landscape with open views'. The essence of this open landscape character should be preserved within the open space component of the scheme proposals. We recommend that proposed tree planting to the north east corner would be improved by concentrating on a fewer number of larger legacy trees to retain this open character and maintain views to Saint Marys church from the public footpaths.

- The man made ditches contribute to the landscape by improving the water retention, ecology and character. A Landscape scheme that incorporates the retention of the ditches would afford significant benefit and these should form an integrated part of a sustainable drainage strategy to enhance the quality of open space and provides ecological benefit.

- The landscape character assessment also notes 'good connections across Gable Head with a number of well used rights of ways'. A number of the existing public footpath connections around the site will require enhancement to improve access (both in terms of surfacing and width of route). Deteriorating quality of boundary treatments alongside some of these routes will also require improvement to encourage use.

- Building heights adjacent to the site comprise a mixture of single and double storey dwellings, with a lesser proportion of three storey properties. Due to the close proximity of the site to open landscape and the potential reduction in long range views, we consider it appropriate that future proposals will be limited to a combination of one and two storey dwellings.

- Similarly, the architectural style and all associated materials should demonstrate appropriateness to the local vernacular.

- The landscape and built form strategy and guidelines state 'maintain, manage and improve hedgerow character within the central open area of Gable Head to reduce adjacent impact of the built environment and maintain historical character'. Introduction of mixed native hedgerow as boundary screening would be favoured closer to the proposed dwellings. Intermittent native oak tree planting within the hedgerow would be appropriate to the local landscape character.

- The proposals will be required to demonstrate connectivity with the wider sustainable transport network. Routes for shared pedestrian / cycle use will need to be 3 metres wide and constructed from an appropriate and durable material.

Development Engineer (Highways)

Because of the size of the application the external impact on the Highway Network will be dealt with by Hampshire as the Highways Authority but the internal layout will be commented on by HBC as an Agent.

The internal layout is illustrative but in the future layout I wish to see a great deal of emphasis placed on cycle and pedestrian routes.

A connection needs to be made to the public right of way at the north east corner of the site so that a cycle / pedestrian route can be established between St Marys Church in the north-east and the existing development to the south west, so that although the existing rights of way will remain outside of the development as footpaths, the cycle route can be established in accordance with the Hayling Feasibility Study

Hampshire & Isle of Wight Wildlife Trust

Would like to register our objection to the proposals. This application is supported by insufficient evidence to determine that the proposals will have no adverse effect on the integrity of the Chichester and Langstone Harbour Ramsar, SPA and SSSI.

The Wildlife Trust, in partnership with several other organisations, is currently in the process of reviewing and updating the Solent Wader and Brent Goose Strategy; part of the updating work involves identifying the core network of sites used by waders and

brent geese. The site at Rooks Farm (H26B) is listed as 'important' within the 2010 update with multiple records of several hundred dark-bellied brent geese *Branta bernicla bernicla* using the site. In addition smaller numbers of Eurasian curlew *Numenius arquata* have also been using the site.

Recent survey work combined with a review of existing data from recent winters has confirmed that this site forms part of the important network of sites used by waders and brent geese associated with the nearby SPA. The supporting information makes no assessment of the potential in-combination impacts of this development on the nearby SPA, in fact in contrast identifies the site as having a 'low potential for geese and waders'. We strongly disagree with this assessment.

The above advice is given based on the information made available at this time and may change should further or amended details be submitted.

Hampshire Fire & Rescue

Building Regulations: Access for Firefighting

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

Hampshire Act 1983 Section 12 – Access for Fire Service

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

Fire and Rescue Services Act 2004

The following recommendations are advisory only and do not form part of any current legal requirement of this Authority.

Access for High Reach Appliances

High reach appliances currently operated by the Hampshire Fire and Rescue Service exceed the maximum requirements given in Section 17 of the Approved Document B. When considering high rise buildings these variations should be considered as additions and incorporated as follows.

Structures such as bridges, which a high rise appliance may need to cross should have a maximum carrying capacity of 26 tonnes. Where the operation of a high reach vehicle is envisaged, a road or hard standing is required 6m wide. In addition, the road or hard standing needs to be positioned so that its nearer edge is not less than 3m from the face of the building.

Water Supplies

Additional water supplies for fire fighting may be necessary. You should contact the Community Response Support, Hampshire Fire and Rescue Headquarters, Leigh Road, Eastleigh, SO50 9SJ (risk.information@hantsfire.gov.uk) to discuss your proposals.

Sprinklers

Hampshire Fire and Rescue Service (HFRS) would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS) as part of a total fire protection package to:-

- . Protect Life;
- . Protect Property, Heritage, the Environment and our Climate;
- . Help promote and sustain Business Continuity; and
- . Permit design freedoms and encourage innovative, inclusive and sustainable architecture.

The use of AWSS can add significant benefit to the structural protection of buildings from damage by fire.

HFRS are fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact on the wider community.

Fire fighting and the Environment

Should a serious unsuppressed fire occur on the premises, the water environment may become polluted with 'fire water run-off' that may include foam. The Fire Service will liaise with the Environment Agency at any incident where they are in attendance and under certain circumstances, where there is a serious risk to the environment, a controlled burn' may take place. This of course could lead to the total loss of the building and its contents.

Premises occupiers have a duty to prevent and mitigate damage to the water environment from 'fire water run off' and other spillages.

Further guidance on preventing pollution can be found in the following Environment Agency publications:

- a) Managing Fire Water and Major Spillages: PPG18
- b) Pollution Incident Response Planning: PPG21
- c) Controlled Burn: PPG28

Timber Framed Buildings

These types of buildings are particularly vulnerable to severe fire damage and fire spread during the construction phase.

The UK Timber Frame Association publication '16 Steps to Fire Safety on Timber Frame Construction Sites' provides guidance on this issue and is available from <http://uktfa.com/>

This guidance should be read in conjunction with the 'Joint Code of Practice on the Protection from Fire of Construction Sites and Buildings Undergoing Renovation', published by the Construction Confederation and The Fire Protection Association (Sixth Edition, ISBN 1-902790-33-2). Copies of the 'Joint Codes of Practice' and useful sister publication, 'Construction Site Fire Prevention Checklist' (Second edition, ISBN1-902790-32-4), are available for purchase from the FPA (www.thefpa.co.uk) and from Construction Industry Press (www.cip-books.com)

Hampshire Highways

Policy Review

The transport assessment (TA) considers the policy background to the proposals, providing a summary of national, regional and local policies.

The proposed development does not form part of the current Core Strategy or Havant's adopted Allocations. In preparation for the emerging Local Plan to 2036 Havant Borough Council have adopted a Local Plan Housing Statement. This sets out the proposed development to 2036 and splits the sites into 'Early Release' sites, those which are deemed suitable to come forward ahead of the adoption of the emerging local plan. This proposed site does not sit within this list. Development at Rook Farm sits within a category of 'uncertain potential' and are therefore considered to require further investigation regarding infrastructure issues relating to a number of services including highway capacity on Hayling Island.

Whilst a review of the application with regards highway matters has been undertaken, this is in advance of the emerging Local Plan and the infrastructure delivery review to support planned growth. This is to demonstrate that any planned for development on Hayling Island contributes towards necessary infrastructure. I would therefore request that this position is noted when considering this application.

Site Location

The proposed development site is located on land to the north and west of St Mary's Road. The site access is located on the adopted highway of St Mary's Road between property numbers 115 and 123 for a 30m long section. This would form the single vehicular access to the site. The north/south section of St Mary's Road also provides vehicle and pedestrian access to Mengham Infant School and a public car park.

St Mary's Road is located to the south of Hayling Island which has only a single connection to the mainland.

There are a number of public rights of way which bound the site. This includes Footpath 93 along the northern boundary, 92 along the western boundary and then onto Manor Road. This also connects to Footpath 94 which provides a link to the east/west section of St Mary's Road and run along the remainder of the western boundary of the site.

Site Access

Access to the site is proposed via a simple priority junction onto St Mary's Road. The details of the proposed access are provided on drawing number P16031-001D.

Speed surveys have been undertaken and demonstrate recorded 85thile dry weather speeds of 29mph northeast bound and 20mph southwest bound. Based on these recorded speeds, Manual for Streets visibility splays are deemed appropriate. Whilst site lines have been provided on the drawing, both from the site access and proposed pedestrian crossings, visibility splays dimensions need to be included in order to be able to confirm their acceptability.

The site access will also require swept path analysis of a pantechicon vehicle. In addition tracking should be provided by the developer to assess the changes to the junction improvements of St Marys Road/Church Road and the bus lay-by.

The swept paths for the refuse vehicle demonstrate the vehicle crossing the centre line of the new access, putting it into conflict with other vehicles that would be there. This is not acceptable and when reviewing the swept paths the applicant should ensure that a Super Large Refuse Vehicle is used.

The articulated lorry tracking has not been shown from Church Road (south) into St. Marys Road and vice versa, this should be submitted to the highway authority.

For movements from Church Road (north), the artic vehicle's tracking speed is not quoted and should be shown on the drawing. The artic tracking submitted indicates that the vehicle will use the whole width of St. Marys Road because of the proposed pedestrian refuge. The applicant should consider further how this movement will be accommodated and the timing of the pedestrian refuge works should planning permission be granted.

A Road Safety Audit has not been submitted within the TA. One should be submitted to fully assess the relationship between the site access and its close proximity to the St Mary's Road/Elm Grove junction.

Trip Generation

Trip rates have derived from the Land South of Beech Grove application APP/12/00966. This approach is considered acceptable to the highway authority and was agreed during pre-application discussions.

Traffic Distribution and Assignment

The methodology for assigning traffic onto the network was also agreed as part of the pre-application discussions and considered acceptable to assess the impact of development traffic.

A3023 Capacity Assessment

An assessment of the capacity of the A3023 has been undertaken. This assessment refers to a morning peak of 09:00-10:00am. It is not clear why this time period has been used for the assessment and whether it represents the busiest morning hour and this will need to be supported with appropriate data.

The highway authority have reviewed the data presented in the Transport Assessment with data collected from a permanent counter on the A3023 bridge. When interrogating the data collected over the same period, 22/09/2016 – 28/09/2016, the vehicle flows included within the Transport Assessment are lower than that collected from the permanent counter. The two way 5 day average flows recorded by HCC are higher by 302 and 349 in the AM and PM peak respectively. The applicant is asked to review their data and consider updating their assessment using the data collected from the permanent counter.

Notwithstanding this, the traffic flows have then been assessed against DMRB theoretical capacity guidelines as set out in TA 79/99. Whilst for the bridge itself a classification of an Urban All-Purpose Road type 1 may be appropriate this is only a very short section of the route. North of the bridge the road would be classified as a UAP2 road and to the south would be a UAP3. Given that the route is continuous a simple examination of the capacity at one very small section is not appropriate to assess whether the capacity of the road will be compromised by additional development

in the south of the island.

Therefore additional assessments should be undertaken to the south and north of the bridge, including an assessment of journey time reliability and delay.

Junction Assessments

The impact of traffic from the development has been assessed for the following junctions:

- A27/A3023 Langstone Road/Park Road South
- A3023 Langstone Road/Langstone Technology Park Access
- A3023 Havant Road/Church Road Roundabout
- A3023 Manor Road/St Mary's Road/Station Road Junction
- Elm Grove/Cherrywood Gardens Junction
- St Mary's Road/Cherrywood Gardens Junction
- St Mary's Road/Tournerbury Lane/Elm Grove/Church Road Staggered Crossroads

Traffic surveys were undertaken to determine the current operation of these junctions. These surveys collected information on turning movements and queue lengths as well as volume of traffic.

This assessment has demonstrated that the junctions in the immediate vicinity of the site have a peak hour at school collection time (15:30-16:30) which is in excess of the traditional PM peak. It was therefore requested that for these junctions three peak periods are modelled.

A27/A3023 Langstone Road/Park Road South

This junction is managed by Highways England who will be responding separately on the impact on the operation of this junction.

A3023 Langstone Road/Langstone Technology Park Access

The 2016 base model results suggest that that junction is currently operating with reserve capacity during the AM and PM peak hours. The maximum RFC in 2016 is of 0.65 on the Technology Park Access left turn during the PM peak hour. In the development scenarios the junction is predicted to continue to operate within capacity during the AM and PM peak hours with the highest RFC of 0.83 predicted on the Technology Park access left turn in the PM peak hour in the '2021 with Development Sensitivity Test' Scenario. The maximum queue is of 4.3 PCUs on the same movement in the same peak hour and scenario.

A3023 Havant Road/Church Road Roundabout

The 2016 base model results suggest that that junction is currently operating with some reserve capacity during the AM, PM and School peak hours with a maximum RFC of 0.74 in the AM peak hour on the Church Road approach. In 2021 scenario without development the junction is predicted to operate within capacity during the AM, PM and School peak with the highest RFC of 0.81 on Church Road approach in the AM peak hour in the '2021 without Development' Scenario. In the development scenarios the junction is predicted to operate above practical capacity during the AM, PM and School peak hours with the highest RFC of 0.90 predicted on Church Road approach in the AM peak hour in the '2021 with Development Sensitivity Test' Scenario. A queue of 7.9

PCUs occurs along with this RFC.

Given the high RFC on Church Road it is recommended that the junction is modelled in Junctions 9 'Lane Simulation' model in order to provide a more accurate understanding of queuing and delay at the junction.

A3023 Manor Road/St Mary's Road/Station Road Junction

The following concerns are raised with regard to the geometric parameters used within the model:

- Width of Arm C Manor Road opposite Arm B Station Road - when street lining is taken into account carriageway width appears to be approximately 6.3m rather than the 7.55m entered into the model.
- Visibility for the vehicles turning right from Arm C Manor Road into Arm B Station Road along Arm A Beach Road appears over-optimistic given trees and a parking lay-by within the line of sight.

St. Mary's Road is modelled as one lane plus flare. It is recommend that this is modelled as two lanes in line with TRL.

A zebra pedestrian crossing is located on Beach Road- approximately 40m south of St Mary's Road. It is suggested that the impact of this facility on junction capacity should be tested in the model.

The model should be updated and resubmitted for further review.

Elm Grove/Cherrywood Gardens Junction

The maximum RFC value modelled at this junction for the 2021 scenario is 0.29 which demonstrated this junction will continue to operate within capacity.

St Mary's Road/Cherrywood Gardens Junction

The 2016 base model results suggest that that junction is currently operating with significant reserve capacity during the AM, PM and School peak hours with a maximum RFC of 0.15 in the PM peak on the St Mary's Road (N) right turn approach. In the development scenarios the junction is predicted to continue to operate within capacity during the AM, PM and School peak hours with the highest RFC of 0.18 predicted on the St Mary's Road (N) right turn approach in the PM peak hour in the '2021 with Development Sensitivity Test' Scenario.

St Mary's Road/Tournerbury Lane/Elm Grove/Church Road Staggered Crossroads

The traffic flows entered for St Mary's Road in the model do not match the flow diagrams in Appendix C. In each scenario PCUs assigned to the left turn movement to Arm C Church Road (incorrectly labelled as Elm Grove) have been assigned to Tournerbury Lane in the model. The HGV percentages also need to be revisited accordingly.

Proposed Site Access

The modelling demonstrates that the site access would operate within capacity.

Based on the above, it is recommended that the following models are re-visited:

- J3 A3023 Havant Road / Church Road;
- J4 A3023 Manor Road / St Mary's Rd /Station Road;
- J7 Church Road / Tournerbury Lane / Elm Grove / St Mary's Road,

Sustainable Modes of Access

Footway provision on the north/south section of St Mary's Road is currently lacking in the vicinity of the site. Pedestrian crossing facilities at the Elm Grove junction are also lacking. The applicant has proposed improvements to address both of these points. Whilst they are both welcomed they require further work before they could be considered as acceptable mitigation, as set out below.

Footway Provision St Mary's Road

The plan P16031-001D shows improvements to footway provision along St Mary's Road. The footway on the northern side of St Mary's Road narrows adjacent to No. 109 to below 1.8 metres to 1.3 metres. Whilst the applicant was asked to explore an option here to continue the footway, having reviewed the proposals the highway authority consider the width to be substandard and that the extended footway is not provided, with pedestrian crossing to use the existing footway on the southern side.

The applicant should note that footway construction and tactile paving used at the car park access will have to be designed for vehicle overrun as this is likely to occur.

Crossing Improvements St Mary's Road Junction with Elm Grove

Drawing P16031-002 shows proposed improvements to the St Mary's/Elm Grove junction. The tactile paving proposed on the north side of St. Marys Road is located on an access and therefore will have to be reconsidered. The proposed pedestrian refuge on Church Road (south of St Marys Road) is too narrow and should be a minimum width of 1.5m.

The proposed alterations to the bus layby (north of St Marys Road) will impact on access to Electric Sub-Station, potentially highway drainage and the operation of the bus stop. The developer should further investigate this and look into relocating the bus stop.

East/west connectivity

The proposals do not provide measures to connect the site to West Town, West Beach and the ferry to Portsmouth and it is recommended that a review of existing rights of way around the site is undertaken to identify potential improvements to facilitate sustainable access to these locations.

In addition, access to the west from the development should be explored by the applicant as well, again reviewing the opportunity to upgrade rights of way to provide improved sustainable access to the site.

Access to Public Transport

Buses

The nearest bus stops are located on Elm Grove to the east of the site. They are

located within 400 metres from the site access. The service provides a link to Havant rail station. It should be noted that the distance to the bus stops increases for dwellings further into the site.

Rail

The nearest rail station is at Havant which is located over 7.5km away from the site access. Services include London Waterloo, London Victoria, Brighton, Portsmouth Harbour and Southampton Central. Whilst the rail station provides frequent services, the distance from the site will only result in a limited uptake and use of the car to travel to the station.

Personal Injury Accidents

The Personal Injury Accident (PIA) data included within the TA is over a five year period from 1st June 2011 to 31st May 2016. The study area includes the A3023 from its junction with the A27 and Park Road South in Havant to the north, to its junction with Sea Front (Beachlands Roundabout) in the south. Also included is Church Road from its junction with the A3023 and Sea Front to the north and south respectively as well as St Mary's Road and Cherrywood Gardens. This data and study area is considered acceptable.

During the agreed study period, a total of ninety one recorded accidents occurred. Of these, seventy five accidents were recorded as slight and sixteen were recorded as serious, no fatal accidents were recorded. For ease, the accident data has been broken down into three smaller areas.

South Island Area

Four slight accidents have been recorded at study junction 7, Church Road/Tournerbury Lane/Elm Grove/St Mary's Road. Of the four accidents, two involved mobility scooters and one pedestrian being hit following a rear end shunt collision involving three vehicles. The highway improvement scheme, as shown on drawing P16031-002, looks to improve the safety of non-motorised users by introducing a refuge island although this will need to be improved in line with the comments provided in this response.

Two accidents occurred at study junction 5, Elm Grove/Cherrywood Gardens. One was recorded as serious and one was recorded as slight, both are attributed to driver error.

Four accidents, one serious and three slight, occurred along the Cherrywood Gardens/St Mary's Road corridor. The serious accident occurred when a cyclist swerved into an oncoming vehicle, it should be noted that the cyclist was impaired by alcohol. The TA commentary does not go into further detail of the slight accidents and the accident data should be provided. No accidents occurred on St Mary's Road adjacent to the proposed site access.

A total of five accidents occurred along the Manor Road/Beach Road corridor. Two of which were serious and three were recorded as slight. None of the accidents were attributed to the layout of the road and were caused by other factors. Seven slight accidents have been recorded on the A3023 to the East of Church Road and the southern end of the study area and were all attributed to driver error or impairment of alcohol.

North Island Area

There has been thirty five recorded accidents on this section of the A3023 corridor. Six serious and twenty nine slight injuries have been recorded. The six serious injuries have not been attributed to deficiencies of the highway layout and have been caused by a driver using a telephone, inexperienced motorcycle driver, aggressive driver and distractions to the driver inside and outside of the vehicle.

Some of the slight accidents did occur in foggy weather conditions and during darkness. The causation factors of the slight injury accidents include a cyclist entering the road from the pavement without looking properly, vehicles travelling too fast and too close to other vehicles, drivers failing to judge the speed and path of other vehicles, poor manoeuvring and inexperienced drivers or riders.

Mainland Area

Along the mainland stretch of the A3023, fifteen accidents have been recorded, of these, two have resulted in serious injuries. Both have not been caused by the layout of the road. The remaining slight accidents have been attributed to driver error, speeding, weather, impaired by drugs and wet carriageway conditions.

There has been one serious accident on the section of A27 located within the study area which has been attributed to speed. There has been seven slight accidents occur on the A27 roundabout. Two of these seven were isolated incidents caused by medical episodes and one was caused by foggy weather conditions.

The TA contains commentary on the accidents however does not contain the raw accident data which should be provided to fully assess all accidents.

Parking and Internal Layout

Matters relating to parking and the internal layout shall be responded on by our agent at Havant Borough Council under the terms of the agency agreement.

Travel Plan

The Framework Travel Plan (FTP) has been assessed using Hampshire's (HCC) evaluation criteria for the assessment of travel plans - "A guide to development related travel plans". The Framework Travel Plan will require only minor further amendments, as set out below,

- The FTP should commit to future liaison with public transport operators and cycle shops as part of the role of the Travel Plan Coordinator (TPC).
- The span of the bus timetables should be added for the 30 and 31 services.
- Section 7.8.2 makes reference to Hants Car Share. This is no longer funded by HCC and reference to it should be removed.
- Although a budget has not yet been set, ideally, a figure for a bond would be included in the condition for a full travel plan and would be secured through a Section 106 agreement. This is normally based on a percentage of the costs for measures
- The suggested timeline in the interim plan is acceptable. Details of the TPC should be provided to HCC at least three months prior to occupation.
- The FTP states that frequency of the surveys will be discussed with HCC. The surveys should include a baseline survey as detailed in the FTP followed by

repeat surveys in years 1, 3 and 5 of the travel plan. A summary of the results must be shared with HCC within three months of each survey.

- The FTP states that the house builder/TPC will aim for 35% response rate. The FTP should identify some measures to encourage this response rate.

A commitment should also be made to paying HCC's fees for approval and monitoring.

The issues raised should be addressed in a new revision before it can be considered acceptable for submission in conjunction with the proposed residential site. The location of the revisions should be highlighted in a summary page.

Recommendation

Additional information is sought from the applicant relating to the following:

- The Site Access
- Proposed improvements at Elm Grove/St Mary's Road junction
- Proposed footway improvements on St Mary's Road
- Linkages to the right of way network and improvements to facilitate walking and cycling
- Travel Plan
- Capacity of the A3023
- Junction modelling
- PIA accident data

If you are minded to determine the application before this additional information is submitted, I would request that the application is refused for the following reasons:

- In the opinion of the Planning Authority the proposal involves development that cannot be reconciled with the National Planning Policy Framework in that the significant movements generated could not be accommodated adequately on the existing transport network. This would result in a severe impact on the road safety and operation of the local transport network contrary to the NPPF and DM12 of the Havant Borough Council Core Strategy.
- In the opinion of the Planning Authority the proposal involves development that cannot be reconciled with the National Planning Policy Framework in that the proposed access are inadequate to accommodate the development safely. This would result in an unacceptable impact on the safety of users of the development and adjoining highway contrary to the NPPF and of the Havant Borough Council Core Strategy.
- In the opinion of the Planning Authority the proposal involves development that cannot be reconciled with the National Planning Policy Framework in that there is insufficient provision of, or support for, sustainable transport options. This would result in a greater number of trips by private car which will create a severe impact on the local transport network and environment contrary to the NPPF and policy DM11 and DM12 of the Havant Borough Council Core Strategy.

Historic England

On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

The Church of St Mary, sited to the north-east of the development site, is a grade II* listed building dating from the 13th Century. The distinctive broach spire is evident in views across the site and currently the church can be appreciated in its rural setting. A low level of harm would be caused to the significance of the church by introducing new development into the views. This is acknowledged in the submitted Heritage Assessment. Unless the local planning authority is satisfied that this harm to a heritage asset is both justified and outweighed by public benefit this proposal would not meet the requirements of the National Planning Policy Framework.

Historic England Advice

I have considered the submitted information including the Heritage and Archaeology Assessment dated December 2016 by Pegasus Group. My remit is to consider the impact this proposal may have on the significance of the Church of St. Mary which is a grade II* listed building.

The church dates from the 13th century and was restored in the Victorian period. The importance of the church as a historic place of worship is very evident on visiting the church. However, although the churchyard is largely enclosed by mature planting the distinctive broach spire of the church can be seen across the landscape, and from the development site. In this regard the Heritage Assessment rightly identifies the development as being within the setting of the church. The ability to appreciate the church in its traditional rural setting, through the views across the fields makes a modest contribution to the significance of the church.

The Heritage Assessment gives a thorough consideration to the setting of the church and the impact this development might have. I agree that by partially obscuring views of the church in the landscape by the introduction of new development into views from public footpaths a low level of harm is caused to the significance of the church. It is acknowledged that some views are retained and that a view corridor through the development would be created.

Paragraph 132 of the NPPF requires that any harm be justified and then paragraph 134 adds that harm must be outweighed by public benefit. Therefore the onus is on you as the local planning authority to rigorously test the necessity of any harmful works and be convinced that the harm is outweighed by public benefits.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 132 and 134 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Housing

This proposal would need to comply with Core Strategy policy CS9.2 and provide 30-40% affordable housing onsite; this would equate to a **minimum** of 63 units as opposed to **up to** 63 units as stated by the applicant in their Planning, Affordable Housing and Infrastructure Statement at 2.1.2 and 2.1.5. The applicants also suggest that the Affordable housing provision will be secured by planning condition however I would insist that it was secured through s106 legal agreement.

The exact details of the housing mix will need to be agreed with the Council prior to submission of the Reserved Matters application but I would expect to see a variety of house types, sizes and tenures to meet local needs and those of the wider borough area.

Demand for affordable housing remains high in the Havant borough; currently there are 1720 households registered of Hampshire Home Choice seeking accommodation in our area. Of these over half are waiting for a one bedroom home whilst a further 565 are waiting for two bedrooms and 197 for three bedrooms. Many of these are looking to downsize which would in turn free up larger affordable homes that can be used more effectively by providing accommodation for families.

As at 1st October 2016 Help to Buy South, our regional Help to Buy Agency, had 940 households registered from the Havant area; 518 of these were seeking a 2 bedroom home and an additional 216 seeking 3 bedroom accommodation.

A mixed provision of rented and low cost home ownership properties will help meet this demand in a popular and very desirable location.

Principle of Development: Housing would support the principle of this development pending confirmation that the affordable housing policy requirement is met.

Local Lead Flood Authority HCC

Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application as our statutory consultee role in relation to:

- . Works that affect ordinary watercourses that would require consent and
- . Surface water drainage for major developments

Works in relation to ordinary watercourses

The proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, that prior consent of the Lead Local Flood Authority is required for this work. This consent is required as a separate permission to planning.

It is not clear what works, if any are proposed to the watercourse. This will need to be reviewed and consent applied for at the appropriate stage.

Information on consenting can be found at the following link
<http://www3.hants.gov.uk/flooding/hampshireflooding/watercourses.htm>

It is strongly recommended that this information is reviewed before Land Drainage consent application is made.

Surface Water Drainage

We have reviewed the following information in relation to the planning application:

Flood Risk Assessment

The general principles of the drainage strategy are acceptable. However, further details are required in order to ensure correct advice is provided. Therefore, we advise that the following condition be applied.

No development shall take place until a full, site specific Flood Risk Assessment and surface water drainage strategy have been provided to the Lead Local Flood Authority, containing the following elements:

- . Evidence showing sufficient understanding of the sensitivity of discharge points
- . A summary of surface run-off calculations for rate and volume for pre and post development
- . Evidence of sufficient attenuation on site for a 1 in 100 year plus climate change event
- . Sufficient information on the number of steps in the SuDS management train
- . Information on maintenance regimes and adoption of SuDS features

For full details of what is required please visit:

<http://www3.hants.gov.uk/flooding/hampshireflooding/drainagesystems/planning-application-guidance.htm>

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

Please note that the mechanism for securing long-term maintenance will need to be considered and agreed between the applicant and the Local Planning Authority. This may involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Natural England

Objection - Further information required

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and reconsult Natural England. Please note that you are required to provide a further 21 day period for us to respond.

European/International Sites

This site is in close proximity to Chichester and Langstone Harbour Ramsar and Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC).

The application is on a site that is identified in the 2017 updated data for the Brent Goose and Waders strategy as an important supporting habitat for Waders and Brent Geese of Chichester and Langstone Harbour SPA with up to 1,000 birds using this site.

The Preliminary Ecological Appraisal (dated Dec 16) submitted with the application has not taken this data into account although recommended winter bird surveys be undertaken to provide up to date information in relation to Waders and Brent Geese.

There is, therefore, currently insufficient information for you to undertake a Habitats Regulation Assessment of the proposed development. We advise you to obtain the following information:

- An up to date assessment of the impacts of the development on this important supporting habitat for the Waders and Brent Geese of Chichester and Langstone Harbour SPA, taking into account the 2017 Data.
- This assessment will need to demonstrate that a strategy for avoidance and mitigation measures can be implemented both for the loss of supporting habitat and for any disturbance on the Waders and Brent geese arising from the development proposals.
- This assessment will need to demonstrate that there will be no likely significant effect on the supporting habitat and on the Waders and Brent Geese as a result of the development proposals. This will need to demonstrate no likely significant effect alone or in combination with other relevant plans or projects.

Chichester Harbour Site of Special Scientific Interest (SSSI)

Our concerns regarding the potential impacts upon the Chichester and Langstone Harbour SPA coincide with our concerns regarding the potential impacts upon the Chichester Harbour SSSI, and are detailed above.

Protected Species

We concur with the advice given by the county ecologist that up to date licences for the protected species will need to be obtained from Natural England's licensing team prior to the commencement of work impacted upon the protected species.

Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

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

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, or seek advice on the protected species licensing we recommend that they use our Discretionary Advice Service.

Open Space Society

No comments received

Planning Policy

Policy Status

The adopted Local Plan (Core Strategy), the Local Plan (Allocations) and the Hampshire Waste and Minerals Plan provide the development plan for the borough. The Local Plan Housing Statement was adopted on 7th December 2016 and is a material consideration in the determination of this application both as an up to date position statement and as the first stage of the emerging Local Plan 2036.

Principle of development

The site currently lies outside the urban area, as defined by policy AL2 of the Havant Borough Local Plan (Allocations). Policy CS17 (Core Strategy) also applies and seeks to concentrate development within the urban areas.

Policy AL2 states that land outside the urban area on Hayling Island is defined as 'non urban'. Core Strategy Policy CS17 sets out the strategy for delivering development within the urban areas, while protecting the non-urban areas. The current proposal for residential development in the non-urban area is therefore contrary to the policies of the adopted Local Plan.

The Council adopted the Havant Borough Local Plan Housing Statement (LPHS) on the 7th December 2016. The LPHS is a clear position statement as to which sites the Council considers could deliver sustainable development to address the high housing need up to 2036. Nonetheless, the Housing Statement makes clear that development, even on these sites, can only be considered sustainable under the NPPF if it provides the necessary infrastructure alongside new housing to fully mitigate its impact on the infrastructure network. The LPHS relates specifically to sites which are not allocated in the Adopted Local Plan.

The Draft LPHS identified three sites at Rook Farm as having potential for residential development. The DRAFT LPHS consultation highlighted specific infrastructure issues on Hayling Island and as such, the Housing Statement thoroughly investigated whether development at Rook Farm would constitute sustainable development. It was concluded that until further detail is known about Hayling Island's infrastructure network and capacity, the development in question cannot be considered sustainable under the NPPF. The issues (further detail is available in paragraph 3.24 of the Housing Statement) are strategic in nature, relating to the island as a whole rather than this particular site. As such, they must be addressed on an island or borough wide basis. The only way to do this is through the Local Plan.

Havant Borough Council has made a commitment to consider the unique infrastructure requirements of Hayling Island as part of the Havant Borough Infrastructure Delivery Plan (IDP). The IDP will assess and examine the issues, the evidence and the solutions and form part of the Local Plan evidence base. Ahead of this work, the Housing Statement concludes that Rook Farm (UE77) is a site with uncertain potential at this stage and is not included in Table 2, the list of sites considered suitable for early release outside of the urban areas. Guiding Principle 4 of the Housing Statement sets out that *"Development proposals on any sites not in the urban area...and not identified in Table 2 of the Local Plan Housing Statement will be resisted. This is due to the presence of site constraints which mean the adverse impacts of development would*

significantly and demonstrably outweigh the benefits when assessed against the National Planning Policy Framework as a whole.”

The identification of key infrastructure concerns on Hayling Island and a lack of evidence to address these issues, means that at this stage, the Council does not support the applicant's view that the proposal would constitute sustainable development. Although the applicant states that they will be willing to enter into dialogue with relevant stakeholders and statutory providers (para 4.9.3 Planning, Affordable Housing and Infrastructure Statement), they have provided no solutions to wider infrastructure concerns on Hayling Island or evidence that these can be overcome outside of a Local Plan. The applicant claims that:

Whilst the accompanying Flood Risk Assessment demonstrates that the entirety of the application site is situated within Flood Zone 1 and at low risk of flooding from fluvial, surface water, tidal and artificial sources, it is recognised that there is an existing potential risk of flooding associated with the A3023/Langstone Bridge, as it passes on to the Island. However, it is anticipated that any perceived concerns in respect of this existing issue could not be satisfactorily addressed

(para 4.8.2 Planning, Affordable Housing and Infrastructure Statement).

However, without appropriate mitigation, more housing on the island will potentially worsen the situation, putting even more people in a vulnerable position in cases of extreme flooding. While it is accepted that new development cannot be expected to address existing issues, it should not make the situation worse. Until a full infrastructure review is carried out and in the absence of evidence from the applicant, it is not considered that the impact of the proposed development can be appropriately mitigated.

The Examiner into the Local Plan (Allocations) confirmed that access and environmental issues on Hayling Island are a constraining factor at paragraph 35 of her report:

It has been argued that the Plan fails to make adequate provision for housing land on Hayling Island. However development on Hayling Island is restricted by accessibility and environmental issues

While the Council accepts that there is new evidence to demonstrate a higher housing need in the form of the PUSH Strategic Housing Market Assessment, it also believes that at this stage, there is insufficient evidence to show that further development, in addition to that already identified, can be accommodated in a sustainable way on Hayling Island. Until the Council has completed the IDP and identified appropriate mitigation measures through the Local Plan, that an applicant can then deliver, further development over and above that already identified in the Local Plan (Allocations) is not considered sustainable in accordance with the provisions of the NPPF.

The applicant states in their Planning, Affordable Housing and Infrastructure Statement that there is a lack of a five year housing supply in Havant Borough, that the proposed development is sustainable and that permission should therefore be granted in accordance with the presumption in favour of sustainable development (NPPF). However, as the proposal is contrary to the adopted Havant Borough Local Plan and the adopted Local Plan Housing Statement, for the reasons set out above the principle of residential development in this location cannot be supported at this time.

Housing Density

The proposal is for up to 210 residential dwellings. Adopted Policy CS9(4) states that planning permission will be granted for housing proposals that will:

Achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form.

The Draft LPHS identified the site for 394 (indicative) houses. Although this site was not taken forward in the Housing Statement for the reasons set out above, it does provide an indication of the density which could be accommodated at this site. It is recommended that justification is sought for the number of dwellings proposed, to establish whether the proposal represents the most efficient use of the site in the event that planning permission is granted contrary to the policy objection set out above.

Sites for Brent Geese and Waders (Policy DM23)

The site has recently been identified as an Important Site for Brent Geese and Waders and Policy DM23 of the Havant Borough Allocations Plan applies. An updated map showing Important and Uncertain Brent Goose and Wader sites is in figure 1. (**Officer Comment:** Attached to original consultation response)

Policy DM23 states that:

Planning permission will be granted for developments that avoid important sites for Brent Geese and/or waders outside of the statutory designated areas, identified on the Policies Map.

Where this cannot be avoided, development proposals on or adjacent to an important Brent Goose and/or wader site outside of the statutory designated areas will need to demonstrate levels of impact, alone and in combination with other proposals subject to the tests of the Habitats Regulations. Where a negative impact upon a site cannot be avoided or satisfactorily mitigated, and the tests of the Habitats Regulations are met as necessary, replacement feeding/roosting habitat, on a no net loss basis, will be sought.

Where a negative impact upon an important site cannot be avoided or mitigated and replacement feeding/roosting habitat is not or cannot be provided on a no net loss basis, the proposal will be refused.

The applicant has addressed the issue of Brent Geese based on the previous “uncertain” designation. Paragraph 3.4.20 of the applicant’s Ecological Assessment notes that a desk study identified dark bellied Brent Geese on sites in Chichester and Langstone harbours, but not on the core count areas of Hayling Island. Paragraph 3.4.23 of the assessment goes on to state that the current land use and proximity to development means that the fields are of low potential for Brent Geese. The report concludes at paragraph 5.3.10, that six visits are recommended to conduct wintering bird watches, to allow an up to date evidence base for the status of the site in relation to Brent Geese and Waders.

However, these conclusions and recommendations do not satisfy the requirements of policy DM23, as the applicant has not provided any evidence to demonstrate levels of impact, alone and in combination with other proposals subject to the tests of the Habitats Regulations. Furthermore, no mitigation is proposed to address the presence of an SPA species on the site.

It is worth noting that sites at Rook Farm were considered at the Local Plan (Allocations) Examination in 2014. In her report, the Inspector noted at paragraph 75 that:

The landowner has objected to the omission of these sites from the Plan on the grounds that additional housing is needed on Hayling Island and that the classification under Policy DM23 is not supported by robust evidence. However the housing restraint on Hayling Island is justified by evidence...The classification of these sites under Policy DM23 is supported by evidence and whilst it does not preclude development, it is a matter that would need to be addressed through further study and potentially through mitigation in any future plans for development.

It is therefore evident that the presence of Brent Geese has been a consideration on this site since at least 2014, providing an opportunity for thorough consideration of this matter prior to the submission of this application.

Other policy considerations

Despite an objection to the principle of development in this location, should the application be approved, consideration should also be given to the following policies at the Reserved Matters Stage:

Local Plan (Core Strategy)

CS1	Health and Wellbeing
CS9	Housing (including affordable housing requirements)
CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS13	Green Infrastructure
CS15	Flood and Erosion Risk
CS16	High Quality Design
CS20	Transport and Access Strategy
CS21	Developer Requirements
DM1	Recreation and Open Space
DM7	Elderly and Specialist Housing Provision
DM11-14	Transport

Local Plan (Allocations)

DM24	Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development
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The applicant should also be aware of guidance published by Sport England, to maximise opportunities for active design. Given the site's proximity to existing walking and cycling routes, opportunities for integration with existing features and new facilities, should be maximised:

<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/>

Community Infrastructure Levy and S106

The proposed development is CIL liable. CIL rates are set out in the Council's adopted Charging Schedule:

<http://www.havant.gov.uk/planning-and-environment/planning-policy/community-infrastructure-levy>

Developer contributions will be required in accordance with Policy DM24 Recreational

Disturbance to Special Protected Areas (SPAs) from Residential Development.

S106 developer contributions may be required in respect of site specific mitigation such as highway or flood defence measures.

Public Health Team

No comments received

Public Spaces

No comments received

Royal Society for the Protection of Birds

We were made aware of this application by local residents who are concerned about the impacts resulting from the above proposal on Brent Geese that use the application site. The RSPB objects to the application based on insufficient information and assessment provided in support of this proposal.

The application site lies within 800m of Chichester Harbour to the east and Langstone Harbour to the west, areas designated as Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA) and Ramsar sites in recognition of their national and international importance for wildlife, notably wintering waterfowl. The application site is used by wintering Brent Geese (*Branta bernicla bernicla*), which have been recorded feeding on these fields in large numbers. The preservation of these feeding sites is essential to the protection of the wintering population of Brent Geese in the harbours and in turn to ensuring that the designated sites are not damaged.

We are increasingly concerned by the incremental loss of SPA supporting sites on Hayling Island and across the Solent as a whole. We urge the Council to apply a high standard of protection to these sites, as required under the Birds and Habitats Directives. The Preliminary Ecology Appraisal submitted with the application makes reference to Solent Brent Goose and Wader Strategy (2002 and 2010); however, as you will be aware a recent update (2017) of this strategy has been produced based on data collected since 2010. This update classifies the site as 'Important', with multiple records for hundreds of Brent geese feeding in field H46B, the field proposed for development.

In addition a project, led by the Hampshire and Isle of Wight Wildlife Trust, which we support, is currently underway to continue improving our understanding of the core network of sites used by the Brent Geese in the Solent, to further inform appropriate protection of important feeding and roosting areas.

We fundamentally disagree with the assessment in Paragraph 3.4.23 of the Preliminary Ecology Appraisal which states that "these fields (the site) are of low potential for geese or waders" and Paragraph 4.4.16 "In terms of wintering dark-bellied brent geese and waders, it is considered unlikely that the loss of open areas within the site will have a negative impact on the species". This appraisal is not based on up to date data on use of these fields by Brent Geese nor has sufficient survey work / assessment been provided to support such a conclusion.

As identified the site lies in close proximity to the SPA. Havant Borough Council recognises that additional growth in the borough, in combination with neighbouring authorities, could lead to an adverse effect upon the SPA as a result of increased recreational pressure. It cannot be seen that these in-combination impacts on the SPA have been assessed or considered.

Based on the current information provided, we do not consider that it will be possible for the Council to conclude no adverse effect on the integrity of the Chichester and Langstone Harbour SPA/SSSIs and its features, and therefore the application should be refused.

Southern Electric

No comments received

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 3.5 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.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

“A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

Specify the responsibilities of each party for the implementation of the SUDS scheme
Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Traffic Management, HBC

In the absence of substantive detail about the planned layout and parking provision within the site, it is not possible to provide a definitive response on the potential local parking and traffic implications of the application.

It should be noted that there is no on-street parking in the vicinity of the entrance to the development and generally no excess capacity in the remaining public car park provision supporting that locality.

In the event that approval is granted for the development it is requested that provision is made for a sum not less than £3000 to be set aside to allow a TRO (Traffic Regulation Order) to be processed on the internal or surrounding adopted road network to mitigate unsafe or obstructive parking practices that may result from displaced parking problems within a period of 5 years from the completion of the development.

Waste Services HBC

My only concern is that this proposed development can accommodate our standard 26t RCV when collecting waste providing sufficient width and standard of road to take the weight of our vehicles, regarding this planning application.

Chichester Harbour Conservancy:

Recommendation – Objection, being contrary to Policy DM23 of the Development Plan, being premature to the consideration of whether this site becomes allocated for housing in the Development Plan and with insufficient/poor information provided on bird counts.

Should the local planning authority be minded to approve the application, this should be subject to a S.106 covering:-

- (i) an appropriate amount specified in hectares of public open space as part of the Development to accord with Policy CS1 (3) of the Development Plan, provision, future maintenance and retention of the public open spaces within the development;
- (ii) recreational disturbance payment under Local Plan Policy 50 for the net gain of dwellings on the site, as the site is within 5.6km of the Chichester Harbour

- (iii) AONB; and,
any ecological mitigation measures as a material planning consideration under Policies CS11 and DM23 of the Development Plan.

Reasoned justification

Firstly, the conservancy is disappointed that it was not consulted on this major application which has recreational disturbance implications for the Chichester Harbour SPA.

Leaving aside ecological issues, from a pure planning perspective it is somewhat surprising that a mixed use development has not been promoted with some employment land perhaps being more sustainable in terms of the potential for trips off the island to reach employment to be reduced in the long term.

It is noted that the site, listed as with “uncertain potential” on page 12 under reference UE77 in the council’s Local Plan Housing Statement | December 2016, and is land currently unallocated under Policy CS17/AL2, as not within the urban area of the Development Plan Proposals Map, with paragraph 3.24 setting out –

“The consultation on the Draft Local Plan Housing Statement highlighted specific infrastructure issues on Hayling Island which will require further investigation before future development can be considered sustainable under the NPPF. In particular, stakeholders highlighted issues relating to flooding, highway capacity, the single access to the Island, healthcare, education and the provision of utilities. These are strategic issues which relate to the Island as a whole and not necessarily within the ability of a single development proposal to overcome in the absence of a comprehensive framework, which can only be provided through the new Local Plan”.

This proposal has the potential to impact on internationally designated species, namely wintering dark-bellied brent geese and wader species.

The submitted ecological appraisal (Baker Consultants, Dec 2016) generally fails to recognise the importance of arable land in close proximity to the SPA/Ramsar site for feeding and/or roosting of species such as brent geese, lapwing and curlew, and that arable land on Hayling supports thousands of wintering birds as part of the broad mosaic of habitats.

In particular (in sections 3.4.20 and 3.4.21) the report quotes WeBS Core Count (highly selectively) and Low Tide Count data as evidence that brent geese only use inland areas in small numbers, and are not present in high numbers nearby. Low Tide Counts, by definition, do not gather data on bird use of inland arable areas, and WeBS core counts typically only cover fields immediately adjacent to the shoreline.

In fact, data from WeBS core count sector 20435/South Hayling (Tournurbury-Mill Rythe) shows high Brent goose presence (5 yr mean of peak counts for winters 2011-12 to 2015-16: 2225 birds, range 1251-3496) in close proximity to the site. Records on www.solentbirds.org and from local residents also suggest the site is regularly used by wintering brent geese. Further information is likely to be needed to fully establish the use of the site by brent geese and wader species.

The loss of this site as potential feeding and/or roosting area will likely have an impact on the wintering bird populations of Chichester and Langstone Harbour SPA, and mitigation would be required in the form of alternative feeding and/or roosting areas.

The Conservancy is otherwise pleased to see the illustrative figure 14 masterplan containing open space margins and a permeable housing layout to provide an alternative for dog walking, other than visiting the Harbour shoreline.

The Conservancy is disappointed that the developer has not chosen to have layout and landscaping considered with a full landscape design submitted to demonstrate enhancement of the biodiversity value of the site.

Having regard to the distance from the Chichester Harbour AONB boundary, the Conservancy does not consider the proposed development would adversely visually affect the setting of the AONB, but could be likely to harm the purposes of its designation, considered against the *Policy framework listed below.

***Policy Framework**

NPPF - 11, 14, 17, 109-110, 113-115, 186-191, 196-197, 203-206; **NPPG** – ID's 6-8, 23b; 26; **HBDP** – CS1, CS7-CS9, CS11-CS17, CS19-CS21, DM6-DM8, DM13, AL1-AL2, DM17-DM18, DM20, DM23-DM24; **CHMP** - LS1-LS2, LS4, NC1, NC5, BD1-BD2; **PP** – 1; **SPD**.

NPPF – National Planning Policy Framework (2012)

NPPG – National Planning Practice Guidance (2014)

HBDP – Havant Borough Development Plan: Core Strategy (2011) and Site Allocations DPD (2015)

CHMP – Chichester Harbour Management Plan (2014-2019)

PP – CHC Planning Principles (adopted 17.10.17)

SPD –

Borough Design Guide (2011)

Housing (2011)

Parking (2016)

Southern Gas:

SGN do not object to the application, however the applicant needs to be aware of the following information:

The high pressure gas pipeline in the vicinity of the proposed development has a Building Proximity Distance (BPD). The building proximity distance (zone 1) is 3 metres either side of the pipeline. This should not however be confused with the HSE consultation zones 2 & 3 which will be considerably greater. Zone 1 is a safety factor with reference to habitable buildings as recommended by IGE/TD/1. It is calculated from the diameter, material, wall thickness and pressure of the particular pipeline. Under Pipeline Safety Regulations 1996 this distance is declared to the HSE. Any intrusion within this safety zone should not be taken lightly and any intention to proceed should be accompanied by a risk assessment or provision of other supporting evidence especially in the event of any legal proceedings at a later date. I have attached a copy of our plans showing the pipeline in relation to this site.

Pipelines laid in private land are protected by a Deed of grant, which prohibits certain activities within the easement strip like no addition to or removal of surface levels, no structures over or within the specified distance of the pipeline. Further details are available if you require them. A request to us for any copies could incur a small fee, payable in advance. The easement strip is 6 metres in width. 3 metres either side from the centre-line of the pipeline.

Any vehicle crossings over the pipeline must cross at 90 degrees to the pipeline. The crossing will require: calculations to prove that no additional stresses will be incurred; a design showing the roadway in relation to the pipeline; and method statements to be agreed with SGN before it goes ahead. Road crossings need to be kept to a minimum.

This pipeline is of prime importance to the gas supplies of this area. Should any work be contemplated it is essential that you comply with the restrictions detailed below and in the document SGN/WI/SW/2 in order to protect our plant and equipment and for the safety of your own operatives.

- 1) No mechanical excavation is allowed within 3 metres either side of pipeline.
- 2) No plant or storage of equipment shall be made within any easement strip.
- 3) If any metallic pipes or cables are being laid in proximity to gas pipelines then interference testing will be required, the cost of which to be borne by the promoter of the works. A minimum clearance of 600mm is required.
- 4) All precautions stated in publication SGN/WI/SW/2 (Work Instruction for Safe Working in the Vicinity of Pipelines & Associated Installations operating >7barg) shall be fully complied with in all respects.
- 5) No thrust boring shall take place within three metres of the pipeline.
- 6) All planting within the easement strip should comply with "Notes for Guidance on Tree Proximity".
- 7) Before commencing work on site you must contact our Pipeline Maintenance Section on 0141 4184093 at least seven days before work commences. A Southern Gas Networks representative will then contact you to arrange to visit site. Details of working near to high-pressure gas pipelines can then be discussed.
- 8) Pipeline sections that are planned and agreed by SGN to be permanently covered (i.e. by road surface) will require a coating survey. SGN will repair any indicated coating defects free of charge. The survey costs will be borne by the promoter of the works. Prior to any surface cover cathodic protection coupons and reference cells will require installation at no cost to SGN.
- 9) This pipeline is cathodically protected and as such has test cables located in surface boxes, were these to be lost through this work we would look to you for remedial action at no cost to SGN.
- 10) Intrusive construction methods will require an agreed method statement prior to work starting.
- 11) The minimum proximity between the high pressure gas pipeline and any wind turbine should be 1.5 times the fixed mast height excluding the turbine of the wind turbine. If you are planning to construct a wind turbine closer than this, then you must contact SGN immediately.
- 12) Any extended period of SGN site supervision may incur charges to you. These will be charged based on visiting times, materials and occurrences. You will be informed when these come into effect and be invoiced direct.

13) Any piling or boreholes within 15 metres of the pipeline may require vibration monitoring. No piling or boreholing must take place within 3 metres of the pipeline.

14) Please ensure these conditions, together with any relevant drawings are forwarded for use by the construction personnel of your works.

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) and its Statement of Community Involvement, as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 50

Number of site notices: 9

Statutory advertisement: 27/01/2017

Number of representations received: 551 representations received with 567 names. These included representations from Save our Island Group, Hayling Island Residents Association, Langstone Residents Association and Langstone Village Association.

549 Objection representations and 2 Support representations were received. These are summarised at Appendix A to this report.

7 Planning Considerations

7.1 The Council, as competent authority under Regulation 61(1) of the Conservation of Habitats and Species Regulations (2010 as amended) (The Habitats Regulations), has conducted a Habitats Regulations Assessment (HRA) of the proposed development. The HRA is available as Appendix B of this report. This assessment shows that there are two potential avenues for a likely significant effect. The proposed development would lead to a net increase in population which would be likely to lead to a significant effect on Chichester & Langstone Harbours Special Protection Area (SPA) due to the increase in recreation at the coast in combination with the totality of development proposed in the Solent area. The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has confirmed that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24. However in the event of a refusal of planning permission, the fact that this mitigation package has not been secured must also be included as one of the reasons for refusal.

7.2 The proposed development would also result in the direct loss of habitat which routinely supports significant numbers of dark-bellied brent geese. This is a qualifying feature of Chichester & Langstone Harbours SPA and Ramsar site. The application documents do not reference the presence of dark-bellied brent geese nor propose a package of avoidance and mitigation measures to remove the likelihood of a significant effect on the SPA/Ramsar site. On the basis of the submitted information the Council, as competent authority under Regulation 61(1) of the Habitats Regulations, has concluded that insufficient information has been provided to

determine the extent to which the proposals will adversely affect the integrity of the SPA/Ramsar site. It cannot therefore be ruled out that this proposal would have a significant adverse effect on site integrity due to the unmitigated loss of SPA/Ramsar supporting habitat. This conclusion has been informed by representations from Natural England and the Council's ecologist.

7.3 On the basis that a significant adverse effect on Chichester & Langstone Harbours SPA/Ramsar site cannot be ruled out after following the assessment steps set out in Regulation 61(1) of the Habitats Regulations, it would be unlawful for the Council to grant planning permission for the proposed development under the Habitats Regulations and the proposed development would be contrary to Policies DM23 and DM24 of the Local Plan (Allocations) and Paragraph 118 of the National Planning Policy Framework. Furthermore, Paragraph 119 of the National Planning Policy Framework confirms that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being determined.

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

- (i) Principle of development/Status of the site/Infrastructure position
- (ii) Housing need (Five year supply)
- (iii) Impact upon the character and appearance of the area
- (iv) Impact upon residential amenity (neighbours and future residents)
- (v) Heritage issues including setting of Listed Buildings and Archaeology
- (vi) Highways, parking and accessibility issues
- (vii) Drainage/Flood Risk matters
- (viii) Ecology
- (ix) Open Space
- (x) Housing Mix/Affordable Housing
- (xi) Education
- (xii) Minerals
- (xiii) Loss of Agricultural Land
- (xiv) Impact on Tourism
- (xv) Contamination/Air Quality
- (xvi) Developer Contributions/CIL and S106 requirements

(i) Principle of development/Status of the site/Infrastructure Position

7.5 The adopted Havant Borough Local Plan (Core Strategy) 2011 (HBLP(CS)) the Havant Borough Local Plan (Allocations) 2014(HBLP(A)) and the Hampshire Waste and Minerals Plan constitute the Development Plan for the Borough. The Local Plan Housing Statement was adopted on the 7th December 2016 as a Council planning policy position statement and the first stage in the emerging Local Plan 2036 and is a material consideration in the determination of this application.

7.6 The site is outside the urban area, as defined by policy AL2 of the HBLP(A) and the Policies Map. Land outside the defined urban area on Hayling Island is defined as 'non-urban'. Policy CS17 of the HBLP(CS) is also relevant and seeks to concentrate development within the urban areas whilst protecting the non-urban areas. The current proposal therefore represents residential development in the non-urban area and is contrary to the policies of the adopted Local Plan.

7.7 The Council adopted the Havant Borough Local Plan Housing Statement (LPHS) on 7th December 2016 as the first stage in the development of the Havant Borough Local Plan 2036. This document is a clear position statement as to which sites the Council considers could deliver sustainable development to address the identified housing need up to 2036. The Housing Statement makes clear that development, even on these sites, can only be considered sustainable under the NPPF if it provides the necessary infrastructure alongside new housing to fully mitigate its impact on the infrastructure network. The LPHS relates specifically to sites which are not allocated in the Adopted Local Plan.

7.8 The Draft LPHS identified three sites at Rook Farm as having potential for residential development. The Draft LPHS consultation highlighted specific infrastructure issues on Hayling Island and as such, the Housing Statement thoroughly investigated whether development at Rook Farm would constitute sustainable development. It was concluded that until further detail is known about Hayling Island's infrastructure network and capacity, the development in question cannot be considered sustainable under the NPPF. The issues are strategic in nature, relating to the Island as a whole rather than just this site. Stakeholders in particular highlighted issues relating to flooding, highway capacity, the single access onto the Island, healthcare, education and the provision of utilities. As such it is appropriate that they are assessed on an Island or Borough wide basis. The appropriate way of doing this is through the Local Plan process.

7.9 Havant Borough Council has made a commitment to consider the strategic infrastructure requirements of Hayling Island as part of the Havant Borough Infrastructure Delivery Plan (IDP). The IDP will address and examine the issues, the evidence and the solutions and form part of the Local Plan evidence base. Ahead of this work the Housing Statement concludes that Rook Farm (now consolidated into one site UE77) is a site with uncertain potential at this stage and is not included in the list of sites considered suitable for early release (Table 2 of the LPHS).

7.10 Guiding principle 4 of the LPHS sets out that:

"Development proposals on any sites not in the urban area....and not identified in Table 2 of the Local Plan Housing Statement will be resisted. This is due to the presence of site constraints which mean the adverse impacts of development would be significantly and demonstrably outweigh the benefits when assessed against the National Planning Policy Framework as a whole"

7.11 The identification of key infrastructure concerns on Hayling Island and a lack of evidence to address these issues, means that at this stage, the Council does not support the applicant's view that the proposal would constitute sustainable development. Although the applicant states that they will be willing to enter into dialogue with relevant stakeholders and statutory providers they have provided no adequate solutions to wider infrastructure concerns on Hayling Island or evidence that these can be overcome outside the Local Plan.

7.12 The infrastructure requirements for sites on Hayling Island are critical and link to the three dimensions of sustainable development identified in the NPPF incorporating an economic, social and environmental role for development. The work associated with the infrastructure requirements of the Island is ongoing and is fundamental to the consideration of the quantum of residential development that may be possible on Hayling Island. The proposed development cannot at this stage demonstrate that is sustainable as required by the NPPF.

(ii) Housing need (Five year supply)

- 7.13 The Local Plan Housing Statement acknowledges that the Council does not currently have a five year supply of deliverable housing land in line with paragraph 47 of the NPPF. As such, under the National Planning Practice Guidance, until a tested housing target is adopted through the Havant Borough Local Plan 2036, the Council should consider five year supply against the objectively assessed need for housing, which is 11,250 homes between 2011 and 2036. Objectively assessed need is a 'policy off' assessment of housing need and does not consider whether there are sufficient, suitable sites within the Borough to meet that need. This was reinforced by the Minister of State for Housing and Planning on 19th December 2014 when he stated that "the outcome of a Strategic Housing Market Assessment is untested and should not automatically be seen as a proxy for a final housing requirement in Local Plans. It does not immediately or in itself invalidate housing numbers in existing Local Plans". The Housing Constraints and Supply Analysis confirms that there are significant constraints which affect the Borough, which significantly restrict the ability to meet the total need for housing up to 2036.
- 7.14 The 2016 Annual Monitoring Report (tables 5.5-5.8) sets out the latest position regarding five year supply in the Borough. This confirms that the Borough has between 3.6 and 4.9 years of housing supply. The detail is set out in the Council's 2016 Annual Monitoring Report. The Council has also taken positive and proactive steps to significantly boost the supply of housing, in line with the National Planning Policy Framework, through the preparation and adoption of the Local Plan Housing Statement. This identifies 'early release' urban extension sites which can provide 1,361 new homes over and above the Adopted Local Plan and a strategic site capable of accommodating a minimum of 1,650 new homes. The production of the Havant Borough Local Plan 2036 is also being prioritised to a fast-tracked timetable with submission of the plan in Q4 of 2018 and adoption in Q2 2019. This is set out in the Local Development Scheme.
- 7.15 As such, it is considered that there is only a modest shortfall in five year supply, there are significant proactive and positive steps being taken to effectively plan for the identified housing need and there are significant planning reasons why the approach to Hayling Island in the Local Plan Housing Statement was taken forward. Whilst the Adopted Local Plan addresses a housing target which is not now representative of the objectively assessed need, this does not mean that its policies regarding the supply of housing should not be applied. The steps being taken to address housing need in the Borough, the modest shortfall in five year supply and the reasoned justification for the approach to the site in the Local Plan Housing Statement ensure that significant weight should still be applied to the policies and principles that restrict development in this location.

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

- 7.16 The application is in Outline form with all matters reserved except the access to the site. An illustrative masterplan has been provided together with a landscape and visual appraisal and Design and Access Statement. The assessment of the impact on character and appearance would be considered further in detail at the Reserved Matters stage should the application have been recommended for planning permission, however the following comments relate to the general principles at this stage.

- 7.17 The Havant Borough Townscape, Landscape and Seascape character assessment describes the site location as 'an open agricultural landscape with open views'. The essence of this open character should be preserved within the open space component of the scheme.
- 7.18 There are ditches crossing the site and a pond which should be incorporated into the scheme and could form important drainage, ecology and landscaping features.
- 7.19 The height of development would be an important factor in integrating residential development into the flat landscape and ensuring that development did not appear out of character with the mainly single and two storey development which is a feature of the existing residential context.
- 7.20 Any development would need to demonstrate its appropriateness in terms of local vernacular with regard to materials and architectural style. Native hedge retention/strengthening and provision together with appropriate tree planting would also be important in ensuring that development would have an acceptable and appropriate impact on the character and appearance of the area.
- 7.21 Concern has been raised in relation to the loss of green space in the central southern part of Hayling Island and it is recognised that this development is significant in scale. It is considered however, that the sites position, bounded to the south and east and at a short distance to the west by established residential development and at a short distance to the north-east by holiday accommodation would reduce the impact on the long distance views across the more open landscape to the north. Subject to further detailing of any final scheme it is considered that the development could be designed to have an acceptable impact on the character and appearance of the landscape and area.

(iv) Impact upon residential amenity (neighbours and future residents)

- 7.22 With regard to the impact on neighbouring residents, the outline status of the layout means that many of the impacts on residents cannot be fully assessed at this stage. The impact of the access road would however be fixed in terms of its position as this matter is being considered at the Outline stage.
- 7.23 The existing development fronting St Marys Road is mainly bungalow or chalet bungalow in design with some taller two storey dwellings. There is also a group of 5 bungalows/chalet bungalows to the south-west corner of the proposed site. It would be important to ensure that there would be sufficient set off distances between any taller dwellings or the proposed apartments with care to the bungalows. Guidance in relation to separation distances is provided in the Havant Borough Design Guide SPD.
- 7.24 Rook Farm Way is a development of two storey houses to the west of the site and again the detailed relationship between proposed and existing dwellings would need to be considered further at any reserved matters stage. It is considered that the layout and design of the proposed development could be designed to ensure that an acceptable relationship with neighbouring residents could be provided.

(v) Heritage issues including setting of Listed Buildings and Archaeology

- 7.25 The application has been submitted with a Heritage and Archaeological Assessment and consultation responses have been received from Historic England, the Councils Conservation Officer and the County Archaeologist.

7.26 Historic England have stated *The Church of St Mary, sited to the north-east of the development site, is a grade II* listed building dating from the 13th Century. The distinctive broach spire is evident in views across the site and currently the church can be appreciated in its rural setting. A low level of harm would be caused to the significance of the church by introducing new development into the views. This is acknowledged in the submitted Heritage Assessment. Unless the local planning authority is satisfied that this harm to a heritage asset is both justified and outweighed by public benefit this proposal would not meet the requirements of the National Planning Policy Framework."*

7.27 The Conservation Officer has considered both St Marys Church and Farm Cottage and Rook Farmhouse Grade II Listed buildings.

7.28 The correct weight should be attributed to the desirability of preserving the setting of the listed buildings from the outset, in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

7.29 The NPPF sets out the importance of heritage assets and paragraph 134 states that where a development will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

7.30 The Conservation Officer considers in relation to St Marys Church that the development would result in a change that would cause minor harm to the significance of the Church via a change in its setting. This harm is considered to be at the lower end of the less than substantial bracket. Such harm therefore needs to be balanced against the public benefits of the scheme in line with paragraph 134 of the NPPF. Within this context, the limited harm caused to the overall heritage significance of the asset needs to be considered. The Conservation Officer considers that the wider agricultural setting with Rook Farm (Cottage and Farmhouse) is negligible to the heritage significance of the assets.

7.31 Given the concerns in relation to the proposed development in particular with regard to infrastructure it cannot be concluded that the public benefits associated with the development would outweigh the less than substantial harm to the heritage asset of St Marys Church a Grade II * Listed Building.

7.32 With regard to Archaeology, the County Archaeologist concludes:

I would advise the archaeological potential for as yet unrecorded archaeological features within the site should be considered as moderate, rather than low. Given the scale of the proposed development it is possible that any previously unidentified archaeological deposits would be disturbed by the ground works associated with development. Therefore while this does not present an overriding concern I would recommend that the assessment and recording of any archaeological deposits be secured through the attachment of suitable conditions to any planning consent that might be granted.

- 7.33 Should planning permission have been recommended planning conditions to address archaeological requirements would have been recommended.

(vi) Highways, parking and accessibility issues

- 7.34 There are considered to be seven main highway matters for consideration. These relate to, Site Access, A3023 Capacity Assessment, Junction Assessments, Sustainable Modes of Access, Access to Public Transport, Personal Injury Accidents, Parking and Internal Layout and the Travel Plan.
- 7.35 The application has been submitted with a Transport Assessment (TA) and Travel Plan and the proposals have been considered in detail by the Highways Authority and Highways England. The Countryside section of County Council have also provided comments in relation to Rights of Way. In addition highway concerns have featured in the majority of representations received in relation to the application and are a central part of the Infrastructure Review.

Site Access

- 7.36 The site access is for consideration at the Outline stage and is proposed via a simple priority junction onto St Marys Road.
- 7.37 Speed surveys have been carried out on St Marys Road. Based on recorded speeds, Manual for Streets visibility splays are deemed appropriate. Whilst site lines have been provided, visibility splay dimensions need to be included to confirm their acceptability. The site access will also require swept path analysis. In addition tracking to assess changes to junction improvements of St Marys Road/Church Road and bus lay-by are needed.
- 7.38 Swept paths for refuse vehicles demonstrate the vehicle crossing centre line of the new access, putting it into conflict with other vehicles. This is not considered to be acceptable. The articulated lorry tracking has not been shown from Church Road (south) into St Marys Road and vice versa. Tracking for movements from Church Road north has not included traffic speed. Articulated vehicle tracking movement needs further consideration/details.
- 7.39 A Road Safety Audit has not been submitted within the TA, this is needed to fully assess the relationship between the site access and its close proximity to the St Marys Road/Elm Grove junction.
- 7.40 In conclusion at this stage the site access is not considered to be acceptable to accommodate the development safely.

A3023 Capacity Assessment

- 7.41 Hampshire Highways confirm that Highway Capacity on Hayling Island is part of the further investigation regarding infrastructure issues to support planned growth. This is to demonstrate that any planned development on Hayling Island contributes towards necessary infrastructure. St Marys Road is located to the south of Hayling Island which has only a single connection to the mainland.
- 7.42 The A3023 is the main route on Hayling Island and at the Hayling Bridge and through Langstone is the only route on and off the Island which has a population of approximately 17,000. In this regard the Island is unusual in its reliance on one route

effectively operating as a long cul de sac.

- 7.43 An assessment of the A3023 capacity has been undertaken on behalf of the applicant. There is also a permanent counter on the A3023 bridge. The timing of the morning peak and traffic data have been questioned by the Highway Authority. The assessment of capacity at the Bridge only is also questioned and further assessment of capacity is required north and south of the bridge including an assessment of journey time reliability and delay.
- 7.44 At this stage it has not been demonstrated that the significant movements generated could be accommodated adequately on the existing transport network.

Junction Assessments

- 7.45 The impact of traffic from the development has been assessed for seven junctions. Traffic surveys were undertaken to determine the current operation of these junctions. Surveys collected information on turning movements and queue lengths as well as volume of traffic.

A27/A3023 Langstone Road/Park Road South

This junction is managed by Highways England - Highways England conclude that there will unlikely be a significant impact to the safe and efficient operation of the A27. In combination impacts with other developments should be considered for future development.

A3023 Langstone Road/Langstone Technology Park Access

Model results suggest that the junction is currently operating with reserve capacity during AM and PM peaks and in development scenarios would continue to do so.

A3023 Havant Road/Church Road Roundabout

Model results suggest that the junction is currently operating with some reserve capacity during AM and PM and school peak hours. In the 2021 scenario without development the junction is predicted to operate within capacity during three peaks. In the development scenarios the junction is predicted to operate above practical capacity during the peak hours. A queue of 7.9 Passenger Car Unit (PCUs) occurs on Church Road approach.

Further modelling is required for a more accurate understanding of queuing and delay at this junction.

A3023 Manor Road/St Marys Road/Station Road Junction

HCC Highways raise a number of concerns with regard to the modelling carried out in the TA. The impact on the zebra pedestrian crossing on Beach Road and its impact on junction capacity are also required.

Elm Grove/Cherrywood Gardens Junction

Model results demonstrated that this junction will operate within capacity.

St Marys Road/Cherrywood Gardens Junction

Model results suggest that this junction is operating with significant reserve capacity at three peak hours. In the development scenarios the junction would continue to operate within capacity in peak hours.

St Marys Road/Tournerbury Lane/Elm Grove/Church Road Staggered Crossroads

Traffic flows entered for St Marys Road in the model do not match the flow diagrams and require revision. The HGV percentages also need revisiting accordingly.

Proposed Site Access

The modelling demonstrates that the site access would operate within capacity.

- 7.46 It is clear therefore that further modelling is required to a number of the junctions in order that a proper assessment of their capacity and queue lengths etc can be carried out.

Sustainable Modes of Access

- 7.47 Footway provision on the north/south section of St Marys Road is currently lacking in the vicinity of the site. Pedestrian crossing facilities at the Elm Grove junction are also lacking. Whilst the applicant has proposed improvements to address these points which are welcomed, further work is required before they could be considered as acceptable mitigation. HCC have provided full details of the requirements.
- 7.48 East/west connectivity measures to connect the site to West Town, West Beach and the ferry to Portsmouth to identify potential improvements to facilitate sustainable access to these locations are also required. The Countryside Access Team of HCC have raised issues in relation to links between cycle and pedestrian routes and the need for contributions to secure improvements/upgrading of existing routes to serve the development and the resulting additional use of public rights of way.

Access to Public Transport

- 7.49 The nearest bus stops are located on Elm Grove to the east of the site. They are located within 400m from the site access and provide a link to Havant rail station. The distance to the bus stops increases further into the site.
- 7.50 The nearest rail station is at Havant located over 7.5km from the site access. The rail station provides frequent services along the coast and to London. HCC note that the distance of the site from the rail station is likely to only result in a limited uptake of the service and will result in car travel to the station.

Personal Injury Accidents

- 7.51 The TA included Personal Injury Accident data over a five year period and HCC Highways consider the data and study area acceptable.
- 7.52 Over the area and period a total of 91 recorded accidents occurred. Of these 75 accidents were recorded as slight, 16 recorded as serious, and no fatal accidents were recorded. These have been assessed by HCC Highways for different junctions and parts of the study area and details are provided in part 5 of this report.

Parking and Internal Layout

- 7.53 The application is in outline form and therefore at this stage the car parking layout has not been provided. Car parking for the residential development including apartments with care would need to comply with the car parking standards contained within the Havant Borough Council Parking SPD 2016.
- 7.54 The Traffic Management team have noted the lack of parking detail at this stage and that there is no on-street parking in the vicinity of the entrance to the development and generally no excess capacity in the remaining public car park provision supporting that locality. As a consequence they request that a sum of not less than £3000 be set aside to allow a Traffic Regulation Order (TRO) to be processed on the internal or surrounding adopted road network to mitigate unsafe or obstructive parking practices that may result from displaced parking problems. As the application is recommended for refusal this requirement has not been pursued at this stage but will be incorporated into a reason for refusal based on S106 requirements.

Travel Plan

- 7.55 The travel plan has been assessed by HCC Highways. Minor revisions are required to the document. The Travel Plan and Approval and Monitoring Fees would need to be secured through the S106 agreement. As refusal of planning permission is recommended the requirement would form part of the reason for refusal based on S106 requirements.
- 7.56 In conclusion, HCC Highways ask for their position in relation to Highway Capacity and infrastructure requirements to be noted. They also request detailed further information in relation to the TA and Travel Plan. In the absence of this information three highway reasons for refusal in relation to highway capacity, the safety of the access and insufficient provision or support for sustainable transport options are proposed. These reasons for refusal are recommended to be included in the decision.

(vii) Drainage/Flood Risk matters

- 7.57 The application has been submitted with a Flood Risk Assessment and Outline Drainage Strategy, Foul Drainage Analysis and utilities statement. Consultation responses have been received from the Local Lead Flood Authority (LLFA) and Southern Water. It is noted that concerns have been raised by third parties in relation to flooding, foul drainage and water pressure.

Surface Water

- 7.58 The site lies in Flood Zone 1 the lowest flood risk zone. The proposal includes outline surface water drainage proposals based on the indicative layout. Clearly further work would be required if the development were to progress further. The basic system shown indicates that infiltration methods such as soakaways are unlikely to be feasible but this may be investigated further at the detailed design stage. On site attenuation with controlled release to watercourses are therefore proposed. This would incorporate the use of detention basins with sufficient capacity together with linked drains and swale features. The run off to existing watercourses would be limited to greenfield rates.
- 7.59 The LLFA have confirmed that the general principles of the drainage strategy are acceptable. However, further details are required in order to ensure that correct advice

is given and a planning condition is therefore recommended. This condition would have been imposed had the application been recommended for planning permission. The mechanism for securing the long term management and maintenance of the scheme would need to be secured through the S106 agreement including SUDs bonds as required.

- 7.60 It is noted that third parties have raised concerns in relation to local flooding issues and these would need to be addressed in the final surface water drainage scheme in order to address localised on and off site flooding concerns.

Foul Drainage

- 7.61 In relation to foul drainage, the Foul Drainage Analysis proposes connection to public sewer network to the north west of the site. Southern Water have commented that their initial investigations indicate that they can provide foul sewage disposal to service the proposed development. Had planning permission been recommended a condition in relation to foul drainage would have been included.
- 7.62 It is noted that the capacity of foul drainage, water supply and other utilities on the Island to support further residential development is part of the wider Hayling Island infrastructure assessment, therefore at this stage the overall capacity to serve residential development is subject to further investigation. The reason for refusal based on infrastructure assessment seeks to address this wider capacity issue.

Island wide Flood Risk

- 7.63 The access route onto Hayling Island is vulnerable to flooding and the proposal would increase the number of residents on the Island. The impact of further development on the Island is being assessed with relevant bodies including the Environment Agency to ensure that infrastructure including flood defences, health care and emergency services are sufficiently robust to facilitate additional development. This is part of the ongoing infrastructure review. At this stage it is not possible to conclude that the development is sustainable in terms of flood vulnerability and therefore the infrastructure based reason for refusal is considered relevant to this issue.

(viii) Ecology

- 7.64 The application has been submitted with a Preliminary Ecological Appraisal and Ecological Survey Report and this has been assessed by Natural England and the County Ecologist; in addition the RSPB and Hampshire & Isle of Wight Wildlife Trust have also provided comments. In addition a Habitats Regulations Assessment has been carried out as set out above and in Appendix B.
- 7.65 Natural England have confirmed that the submitted ecological information provides insufficient information to enable them to provide a substantive response and this concern is shared by the County Ecologist.

European/International Sites/SSSI

- 7.66 The site is in close proximity to Chichester and Langstone Harbour Ramsar and Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC). The site is featured within the Solent Waders & Brent Goose Strategy (SWBGS) as Site H46B. The site has previously been considered to be of low value for wintering brent geese but recent evidence shows that significant numbers of brent

geese do indeed use this site. These records have been verified by photography and there is no doubt that they are correct. The submitted Ecological Appraisal has not been informed by these records. The site is now identified in the 2017 updated data for the Solent Waders and Brent Goose Strategy as an important supporting habitat for Waders and Brent Geese of Chichester and Langstone Harbour SPA.

- 7.67 The County Ecologist has commented that the ecology report does not really comprehend the high importance of Hayling Island as a refuge for SPA/Ramsar species. Thousands of brent geese utilise fields within Hayling throughout the winter and large numbers of waders are also present inland. Some of the largest concentrations of brent geese in the eastern Solent are found on Hayling Island. The data will need to be revisited and consideration given to the need for further field survey effort to establish the use of the site by SPA/Ramsar species. The presence of brent geese on this site will require the provision of a suitable avoidance and mitigation strategy.
- 7.68 The loss of the site will be likely to have a significant impact on bird species associated with the nearby Chichester and Langstone Harbours SPA/Ramsar. The proposed development is considered to offer no adequate mitigation of this issue and in any case, the proximity of built development is likely to render any retained greenspace unattractive to Brent geese. A feasible mitigation option would be to secure the protection of suitable habitat nearby so that Brent geese would have an equivalent field within which to rest and feed. The use of sites by SPA/Ramsar bird species on Hayling is complex and is influenced by the availability of land in suitable crop type.
- 7.69 The County Ecologist comments that the site offers potential for supporting species such as roosting/foraging/commuting bats and reptiles. Further survey works are recommended for the on-site building and for bat surveys; if there is suitable reptile habitat for reptiles further surveys are appropriate; and the pond is recommended for crested newt surveys. The NPPF Circular 06/2005 and Natural England Standing Advice on Protected Species all require that planning decisions are based on full up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination particularly in the case of protected species, which are a material planning consideration. At this stage further work is required and reasons for refusal based on on-site and off-site impacts are recommended.

(ix) Open Space

- 7.70 The proposal is in outline form and the layout of open space would be a reserved matter, however it is considered that had planning permission been recommended details of the open space and play facilities could have been secured to an appropriate level including details of site play areas and/or commuted sums in relation to the improvement of off site facilities as may be appropriate via planning condition and S106 as appropriate. At this stage the open space requirements have not been secured through a S106 agreement, and this is matter which must be addressed through the recommended reasons for refusal.

(x) Housing Mix/Affordable Housing

- 7.71 Policy CS9 of the Havant Borough Local Plan sets out criteria for housing development in terms of affordable housing requirements, density, mix and specialist housing.

- 7.72 Development should deliver between 30-40% affordable housing on the site. Whilst the principle of affordable provision is accepted the quantum, mix, tenure mix and nomination rights together with distribution etc would need to be secured through a S106 agreement; this is not currently in place.
- 7.73 Whilst the Council consider the development to constitute unsustainable development, if this matter were to be appropriately addressed the proposal would result in a low density of development which would result in an inefficient use of finite greenfield land and would therefore fail to adequately address housing need.
- 7.74 In relation to housing mix, the development is in outline form and further details would form part of any Reserved Matters application. A mix of dwelling types, sizes and tenures which help to meet identified local need would be required.
- 7.75 The proposal includes the provision of apartments with care which could potentially provide accommodation for vulnerable people. The suitability or otherwise of this accommodation and its appropriateness in terms of need would need to be addressed further and would be likely to form part of a S106 agreement had the application been acceptable in other regards.

(xi) Education

- 7.76 In relation to education the County Education Authority has stated that the development would be expected to generate a total of 63 primary age children. The development is served by Mill Rythe Infant and Junior schools which are full and forecast to remain so. Consequently additional primary school places will be needed to cater for the additional 63 pupils and a contribution is sought for expansion. Owing to the movement of pupils around Hayling Island the pupils from the proposed development are likely to be able to be accommodated in the Mill Rythe pair of schools but this will, in turn, displace pupils to be accommodated within the pair of Mengham Schools. On that basis the contribution would go towards the proposed expansion of the Mengham pair of schools. There is no requirement for a secondary school contribution owing to a surplus of places. The contribution requested is £896,633 (indexed). This would need to be secured via a S106 agreement. It is understood that the applicant is not in agreement with the quantum of the contribution requirement. Education requirements are also part of the wider infrastructure review on Hayling Island.
- 7.77 Without the provision of a contribution towards the provision of additional school places the County Council, as Local Education Authority, would object to the proposal on the grounds that the impact on the existing infrastructure cannot be sufficiently mitigated and therefore the development is unacceptable in planning terms.

(xii) Minerals

- 7.78 The site is not identified as having potential for mineral extraction.

(xiii) Loss of Agricultural Land

- 7.79 The site is identified as Grade 2 and 3a best and most versatile land. The site therefore represents a finite resource which is valuable for food production. Given the concerns in relation to infrastructure requirements and sustainability of residential development of the land outlined in this report, it is not considered that the loss of

productive farming land is justified, and the development would be contrary to the advice set out at Paragraph 112 of the NPPF.

(xiv) Impact on Tourism

- 7.80 Tourism is an important part of the economy for the Borough and Hayling Island in particular. Concern has been raised by a number of third parties in relation to the impact of additional traffic on the access route to the Island deterring visitors due to delays. Whilst this concern is appreciated, at this stage it is not considered to be possible to conclude that there would be a harmful impact on visitor numbers attributable to the development.

(xv) Contamination/Air Quality

- 7.81 In relation to contamination, the application has been submitted with supporting documents including Phase 1 Site Investigation. The Council's Environmental Control Officer has assessed the proposals and recommended conditions in relation to the Investigation & Mitigation of Contamination Risks and Verification. Subject to these requirements it is considered that contamination could be appropriately addressed.
- 7.82 With regard to air quality, some concerns are raised in relation to Langstone and localised impacts, and there is an opportunity to seek to address traffic impacts at Langstone with relatively minor changes to the road layout - this would be subject to further assessment by Hampshire Highways. The Environmental Control Officer comments that he considers it unlikely that a severe material impact on local air quality would be identified.

(xvi) Developer Contributions/CIL and S106 requirements

- 7.83 The application would, if recommended for consent have required a significant package of measures to address on and off site infrastructure requirements to address sustainability and policy requirements. As outlined in this report the full scope of these requirements is not yet fully established as they are subject to the wider infrastructure review. At the time of this decision a S106 agreement is not in place, and the following S106 requirements have been identified:

- Affordable Housing
- Highway Works
- Sustainable Transport Requirements including footpath/cycle routes
- Travel Plan requirements
- SUDs provision, management and maintenance including SUDs bond
- Education Contribution
- Traffic Regulation Order contribution
- Apartments with care requirements
- Design, management and Maintenance of Common Parts
- Management Plan Common Parts
- Employment and Skills Plan
- Ecological Requirements
- Appropriate legal fees and monitoring fees

In the absence of such binding arrangements the proposal is considered to represent unsustainable development.

8 Conclusion

- 8.1 In conclusion, the proposal represents a residential development in a non-urban area contrary to the adopted policies of the development plan. Furthermore the development has failed to demonstrate that it would constitute sustainable development as it does not adequately address the infrastructure requirements for the development by itself and in combination with other sites on Hayling Island. The site is currently classified as having uncertain potential for development in the Local Plan Housing Statement due to the strategic infrastructure issues associated with Hayling Island which requires further investigation and assessment through the emerging Havant Borough Local Plan 2036. The proposal therefore fails to meet the three dimensions of sustainable development as set out in the NPPF.
 - 8.2 The proposal fails to suitably address impacts on the Chichester and Langstone Harbours SPA/Ramsar sites and has an impact on protected species using the site. A Habitats Regulations Assessment has been carried out and determined that a significant adverse effect on Chichester & Langstone Harbours SPA/Ramsar site cannot be ruled out; as such it would be unlawful for the Council to grant planning permission for the proposed development under the Habitats Regulations and the proposed development would be contrary to Policies DM23 and DM24 of the Local Plan (Allocations) and Paragraph 118 of the National Planning Policy Framework.
 - 8.3 The impacts on the highway network and highway safety are considered to be unacceptable. There is insufficient provision of, or support for sustainable travel options.
 - 8.4 The development would result in the loss of high quality agricultural land which has not been demonstrated to be necessary given the unsustainable nature of the development and would result in an inefficient use of land for residential development.
 - 8.5 The proposal would result in an impact on the setting of the Grade II * Listed St Marys Church which given the unsustainable nature of the development cannot be justified.
 - 8.6 The development fails to secure S106 requirements which are required to address sustainability issues.
 - 8.7 Overall the proposed development is considered premature and cannot be considered to represent sustainable development as defined in the NPPF; the recommendation is therefore to refuse permission.
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9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE OUTLINE CONSENT** for application APP/17/00007 for the following reasons:

- 1 The proposal represents the unsustainable addition of residential development in a non-urban area for which there is no overriding justification. It is therefore contrary to policy CS17 of the Havant Borough Local Plan (Core Strategy) 2011, policies AL1 and AL2 of the Havant Borough Local Plan (Allocations) 2014 Guiding Principle 2 of the Local Plan Housing Statement and the National Planning Policy Framework.

- 2 The proposed development has failed to demonstrate that it would constitute sustainable development as it does not adequately address the infrastructure requirements for the development by itself and in combination with other sites on Hayling Island. The suitability of the site for residential development has been assessed under the Local Plan Housing Statement and at this stage the site is classified as having uncertain potential for development due to sustainability concerns in particular in relation to Highway Capacity and the single access onto the Island, Flooding, Healthcare, Education and provision of Utilities. The consultation on the Draft Local Plan Housing Statement highlighted specific infrastructure issues on Hayling Island which will require further investigation before future development can be considered sustainable under the National Planning Policy Framework. The proposal therefore fails to meet the three dimensions of Sustainable Development: economic, social and environmental as set out in the National Planning Policy Framework and policies CS1, CS7, CS15, CS19, CS20, CS21, DM11 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL1 of the Havant Borough Local Plan (Allocations) 2014 together with the Local Plan Housing Statement Guiding Principle 4 and the National Planning Policy Framework.
- 3 The proposal, without completion of the appropriate binding arrangements in relation to the Solent Recreation Mitigation Project, is contrary to the Council's Policy on securing the necessary measures required and adopted by the Local Planning Authority. These measures seek to ensure that the provision is made from new development to counteract increasing recreational pressure on the Chichester & Langstone Harbours Special Protection Area. The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.
- 4 The development would result in a direct loss of supporting habitat (listed as site H46B of the Solent Waders and Brent Goose Strategy) for the Chichester & Langstone Harbours Special Protection Area (SPA), in particular for dark-bellied brent geese which is one of the qualifying features of that SPA. A likely significant effect on the Chichester & Langstone Harbours SPA cannot be ruled out, insufficient information has been provided to determine the extent to which the proposals will adversely affect the integrity of the SPA and it cannot therefore be ruled out that this proposal would not have an adverse effect on site integrity. No measures have been proposed or approved that would counteract or avoid a likely significant effect, or to otherwise address any adverse impacts on site integrity. The proposed development is therefore contrary to Policies CS11 and CS21 of the Local Plan (Core Strategy) 2011 and DM23 of the Local Plan (Allocations) 2014, section 118 of the National Planning Policy Framework and the provisions of the Conservation of Habitats and Species Regulations (2010) (as amended).
- 5 The proposal involves development that cannot be reconciled with the National Planning Policy Framework in that the significant movements generated could not be accommodated adequately on the existing transport network. This would result in a severe impact on road safety and the operation of the local transport network contrary to the NPPF and policy DM12 of the Havant Borough Local Plan (Core Strategy) 2011.

- 6 The proposal involves development that cannot be reconciled with the National Planning Policy Framework in that the proposed access is inadequate to accommodate the development safely. This would result in an unacceptable impact on the safety of users of the development and adjoining highway contrary to the NPPF and of the Havant Borough Local Plan (Core Strategy) 2011 policies CS20 and DM11.
- 7 The proposal involves development that cannot be reconciled with the National Planning Policy Framework in that there is insufficient provision of, or support for, sustainable transport options. This would result in a greater number of trips by private car which will create a severe impact on the local transport network and environment contrary to the NPPF and policies DM11 and DM12 of the Havant Borough Local Plan (Core Strategy) 2014.
- 8 Insufficient information has been submitted to demonstrate that the proposals would not be likely to result in harm to protected species and their habitat, specifically in this instance, bats, reptiles and Great Crested Newts. As a result, there is insufficient information to either confirm absence, or if present, determine the extent that species would be affected taking into account appropriate and proportionate avoidance, mitigation and compensation measures. The proposed development is therefore contrary to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework along with Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).
- 9 The development in the absence of an associated S106 Agreement fails to address financial and other requirements necessary to secure a sustainable development. In particular the following matters have not been suitably addressed at this stage:
 - Affordable Housing
 - Highway Works
 - Sustainable Transport Requirements including footpath/cycle routes
 - Travel Plan requirements
 - SUDs provision, management and maintenance including SUDs bond
 - Education Contribution
 - Traffic Regulation Order
 - Apartments with care requirements
 - Design, Management and Maintenance of Common Parts
 - Management Plan Common Parts
 - Employment and Skills Plan
 - Ecological requirements
 - Appropriate legal fees and monitoring fees

Together with any further infrastructure requirements established through the Infrastructure Delivery Plan and emerging Havant Borough Local Plan 2036.

In the absence of such provisions the proposed development would be contrary to policies of the Havant Borough Local Plan (Core Strategy) 2011 policies CS1, CS3, CS7, CS11, CS13, CS16, CS19, CS20, CS21, DM7, DM8, DM11 and DM12 Havant Borough (Allocations) Plan 2014 policy DM23 and the National Planning Policy Framework.

- 10 Notwithstanding reasons for refusal Nos 1 and 2, the proposed development would not represent an efficient use of greenfield land. This would fail to make the best use of a finite land resource and constitute an unsustainable form of development failing to address housing need in an efficient manner. The development would therefore be contrary to policies CS9 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 The proposal would result in a less than substantial harm to the setting of St Marys Church a Grade II* listed building. In particular, in relation to the appreciation of the building in its rural setting and in terms of views across the wider landscape including from parts of the footpath network. The impact on an historic asset is irreversible. Whilst the impact on the setting of St Mary's Church is considered to represent less than substantial harm this should be weighed against the public benefits of the proposal. Given that the development is not considered to meet the requirements of sustainable development it is not considered that the benefits of the proposal would outweigh the impact to the setting of St Marys Church. The proposal therefore contrary to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 12 The application site constitutes primarily Grade 2 and 3a land which is classed as best and most versatile agricultural land. Such land represents a valuable resource for local food production with associated economic benefits. The proposed development would result in the loss of a significant area of such land. Given that the development is not considered to meet the requirements of sustainable development the loss of this land to agriculture is not justified. The development is therefore contrary to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.