

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



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## PLANNING COMMITTEE AGENDA

**Membership:** Councillor Crellin (Chairman)

Councillors Hughes, Patel, Patrick, and Mrs Shimbart (Vice-Chairman)

Standing Deputies: Councillors Branson and Linger

**Meeting:** Planning Committee

**Date:** 3 June 2021

**Time:** 5.00 pm

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

The business to be transacted is set out below:

Gill Kneller  
Chief Executive

25 May 2021

Contact Officer: Mark Gregory 023 9244 6232  
Email: [mark.gregory@havant.gov.uk](mailto:mark.gregory@havant.gov.uk)

### Public Attendance

Please note that the Hurstwood Room has very limited capacity to safely accommodate members of the public in a Covid secure manner. Please contact the named officer above if you wish to attend in person, otherwise we would encourage attendance virtually via the webcast on the Council's website.

**Can Councillors Please Submit Any Detailed Technical Questions On The Items Included In This Agenda To The Contact Officer At Least 4 Hours Before The Meeting Starts.**

## **PART 1 (Items open for public attendance)**

### **1 Apologies for Absence**

To receive apologies for absence.

### **2 Declarations of Interests**

To receive declarations of interests.

### **3 Matters to be Considered for Site Viewing and Deferment**

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

### **4 Applications for Development**

**1 - 4**

### **5 APP/20/00990 (East Hampshire District Council Ref 51680/001) - Havant Thicket, adjacent to Sir George Staunton Country Park, Reservoir and Pipe Line, Middle Park Way, Havant**

**5 - 208**

Proposal: Hybrid application seeking:

- 1) Full Planning permission for Development of a reservoir for raw water storage, A pumped storage reservoir, with the minimum required total storage capacity of 8,700 million litres (ML), to support the planned bulk supply transfer of at least 21ML/d in extreme (currently defined as 1:200 year) drought conditions; Construction of an earth embankment adjacent to Staunton Country Park ; Construction of an overflow discharge/spillway at the south-western side of the reservoir and associated works; Construction of a new junction on the B2149 Manor Lodge Road and a new junction on Swanmore Road. Provision of viewing areas on the southern embankment and western edge of the reservoir.
- 2) Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) control house partially incorporated within landscaped earth mounding adjacent to the south west embankment; together with provision of other earth embankments. Construction of a visitor centre / cafe, with

storage areas and welfare facilities to the northwest of the reservoir to be used for recreational and education purposes; Provision of picnic area(s) and children's play area(s). Access routes from both junctions to the visitor car park; visitor car park comprising 193 car parking spaces and between 70 and 75 overflow spaces plus spaces for staff, coach/minibus and disabled drivers sited to the north west of the reservoir. Creation of a permanent wetland on the northern side of the reservoir and construction of bird watching hide/screen(s); recreational facilities for public amenity. Provision of perimeter tracks and a network of bridleways, cycle paths and footpaths; Construction of a slipway on the western bank of the reservoir for operational use only and a small section of the proposed pipeline (210m).

[Additional Information](#)

|          |                                                                                                                       |                  |
|----------|-----------------------------------------------------------------------------------------------------------------------|------------------|
| <b>6</b> | <b>APP/20/00991 - Pipeline from Proposed Reservoir Site, Middle Park Way to land adjacent to, West Street, Havant</b> | <b>209 - 296</b> |
|----------|-----------------------------------------------------------------------------------------------------------------------|------------------|

|           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposal: | Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) development of a new pipeline to transfer water from Bedhampton Springs to fill the reservoir in the winter and draw it off to treat and supply when needed in the summer comprising: Construction of an underground, bi-directional pipeline linking the reservoir with the existing pumping station at Bedhampton; Emergency drawdown discharge structure at Hermitage Stream; Upgrades to existing culverts; Washout and air valve chambers (typically below ground). |
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[Additional Information](#)

## **GENERAL INFORMATION**

**IF YOU WOULD LIKE A VERSION OF THIS AGENDA IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 92 446 231**

### **Internet**

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

### **Public Attendance and Participation**

Please note that the Hurstwood Room has very limited capacity to safely accommodate members of the public in a Covid secure manner. Please contact the named officer above if you wish to attend in person, otherwise we would encourage attendance virtually via the webcast on the Council's website.

IP addresses will not be collected, however in order to function, Skype for Business collects background data limited to when a user enters and leaves the meeting and the web browser version used. Data collected will be kept and recorded for the purposes of this meeting.

Members of the public, County Councillors, and Non-Members of the Planning Committee may submit a written deputation to meetings of the Planning Committee provided that it relates to an item on the Agenda for a particular meeting.

If there has been a deputation within six months of any previous appearance on the same or similar topic (irrespective of whether or not the member(s) of the deputation might be different) then no such new deputation will be received until that time limit has expired. However, "same or similar topic" does not apply to applications for planning permission considered by the Planning Committee.

A copy of a deputation must be received by the Democratic Services Team not later than 48 hours before the start of the meeting (other than when the meeting is on a Monday, when notice has to be in by the previous Wednesday). Written deputations may be sent by email to the address set out below.

A deputation from a member of the public, agent or a County Councillor may be no longer than 750 words (including footnotes). A deputation from a Havant Borough Councillor, who is not a member of the meeting, shall be no longer than 1,500 words (including footnotes). A deputation may not contain images or photographs.

All written deputations will be published on the Council's website at least 24 hours before the start of the meeting. There will be no opportunity to respond to a written deputation after it has been published, unless the response is to correct a technical error and is received 4 hours before the start of the meeting.

Written Deputations may be sent to:

By Email to: [DemocraticServices@havant.gov.uk](mailto:DemocraticServices@havant.gov.uk)

By Post to :

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

Delivered at:

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

marked for the Attention of the "Democratic Services Team"

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

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



## HAVANT BOROUGH COUNCIL

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### Planning Committee

#### APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS

#### REPORT BY THE DIRECTOR FOR REGENERATION & PLACE

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

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

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

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

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

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

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

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

## RECOMMENDATIONS

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

### **Implications**

#### **Resources:**

None unless detailed in attached report.

#### **Legal:**

Details set in the individual reports



**Strategy:**

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

**Risks:**

Details set out in the individual reports

**Communications:**

Details set out in the individual reports

**Background Papers:**

Individual Applications with Case Officers

Simon Jenkins  
Director for Regeneration & Place

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Site Address: Havant Thicket, adjacent to Sir George Staunton Country Park, Reservoir and Pipe Line, Middle Park Way, Havant

Proposal: Hybrid application seeking: 1) Full Planning permission for Development of a reservoir for raw water storage, A pumped storage reservoir, with the minimum required total storage capacity of 8,700 million litres (Ml), to support the planned bulk supply transfer of at least 21Ml/d in extreme (currently defined as 1:200 year) drought conditions; Construction of an earth embankment adjacent to Staunton Country Park ; Construction of an overflow discharge/spillway at the south-western side of the reservoir and associated works; Construction of a new junction on the B2149 Manor Lodge Road and a new junction on Swanmore Road. Provision of viewing areas on the southern embankment and western edge of the reservoir.

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Application No: Havant -  
APP/20/00990  
East Hampshire -  
51680/001

Expiry Date: 05/03/2021

Applicant: Portsmouth Water  
Agent: Atkins Global  
Ward: Havant - Battins  
East Hampshire -  
Rowlands Castle

Case Officer: Lewis Oliver

Reason for Committee Consideration: This is an application of wider public interest and is accompanied by an Environmental Statement.

Density: Not applicable for this scheme.

HDS Recommendation: **GRANT PERMISSION**

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## Executive Summary

### The Site

The Havant Thicket site is located to the north of Havant and to the east of the A3(M) within a shallow valley between the residential settlements of Warren Park, Leigh Park and Rowlands Castle. It has an area of approximately 160 hectares and comprises predominantly of open grassland with some woodland, vegetation and ditches. At the

centre of the reservoir site is an area classified as ancient woodland that runs from north to south that is known as The Avenue. Three other areas of ancient woodland: Middle Clearing; Round Wood and Corsican Pine Plantation are located within the reservoir site. These woodland areas provide habitat for a range of birds, insects and bat species. A Public Right of Way (bridleway) extends across the reservoir site from east to west. Three unnamed small watercourses run from north to south across the reservoir site, these converge into one stream to the west of The Avenue before flowing off site into Riders Lane Stream to the south-west.

The woodland directly to the north is owned and managed by Forestry England for timber production. It is also classified as ancient-replanted woodland. This woodland is included within the red line boundary as it would accommodate proposed habitat mitigation measures. A large area of the reservoir site lies within Staunton Country Park, a Grade II\* Registered Park and Garden (RPG), and within the Sir George Staunton Conservation Area. The area of Staunton Country Park and the Conservation Area within the reservoir site is mainly open grassland.

The reservoir site lies within two local planning authorities, Havant Borough Council and East Hampshire District Council. The pipeline route is entirely within the borough of Havant.

#### The Scheme

The reservoir, when constructed, would be filled with surplus water drawn from the springs at the Bedhampton works during the winter when flows are at their highest - via a new combined inlet/outlet pipeline. The reservoir would provide water supplies to Portsmouth Water customers in the summer months as required. Additionally, it would allow Portsmouth Water to transfer water to east Hampshire to supply Southern Water's customers, even in a severe drought.

Along with improving footpaths, cycleways and bridleway networks, this development would realise a new recreational facility, adjacent to one of the more deprived areas in south east Hampshire, readily accessible on foot, by bicycle, or through existing bus routes.

The Scheme would incorporate a new wetland habitat and significant new associated areas, for nature conservation, both on and off site. The proximity to Chichester and Langstone Harbour means that it can be used as a safe retreat for roosting birds when there is disturbance in the Harbour.

The overall design of the reservoir integrates operational and visitor facilities within the landscape, whilst minimising any visual and environmental impact, and maintains the rural character of the site.

#### The Need for the Scheme

The increased water supply, available to Portsmouth Water on completion, would enable water to be supplied to Southern Water. Southern Water has a forecast deficit in water resources in the Hampshire area - created by the reduction of its abstraction licences on the internationally designated River Itchen imposed by the Environment Agency. Southern Water has an agreement under Section 20 of the Water Resources Act 1991 that requires them to address their forecast deficit. Additional water made available by the Scheme would form at least 14% of the resources required to meet the forecast deficit.

This proposed scheme forms a key part of Water Resources in the South East group's regional strategy and Portsmouth Water and Southern Water's 25-year and 50-year

Water Resources Management Plans, which gained approval from the Secretary of State for the Environment, and Ofwat, in 2019.

The Scheme would provide over 35% of water supply need over the next 25 years.

#### Alternatives considered

The Havant Thicket site has been identified as the preferred location for a reservoir following numerous studies undertaken over the past 53 years.

Detailed ground investigations were commissioned by the Southern Water Authority in the 1960's and 1970's to identify potential reservoir sites with suitable geological conditions – i.e. its natural clay base.

The Havant Thicket Site Alternatives Assessment (April 2020) summarises the site selection work that had been undertaken previously. The assessment methodology utilises a three-stage appraisal process in order to identify specifically the optimal location and design of a reservoir. Seventy-two potential sites were assessed across the Portsmouth Water and south Hampshire area in stage one. Sixty-seven of the 72 sites were rejected at this stage, primarily because the proposed source of abstraction was protected under an Abstraction Licensing Strategy and/or the Habitat Directive. Only sites that could be supplied by the Havant and Bedhampton Springs were feasible. Five sites were taken forward to stage two and Havant Thicket was assessed as providing the best option as it has the largest capacity, allows for the development of areas for recreational activity that would benefit the local community, together with the potential for nature and biodiversity enhancement, requires the shortest pipeline and would result in the least impact on the protected Chichester and Langstone Harbour.

At stage three, eight conceptual reservoir designs on the Havant Thicket site were assessed and discussed with stakeholders. This led to the development of two new refined concepts which contained a combination of the best features of the favoured appraised options. These were subject to public consultation in 2008 and refined further to form the 2009 Outline Masterplan. This Scheme is a refinement of the 2009 scheme, it further reduces the impact on ancient woodland and the RPG, increases the area of retained wetland, minimises potential traffic impacts, enhances landscaping and optimises opportunities for recreation and biodiversity.

#### Public consultation

Community engagement has been carried out starting in 2004, including public exhibitions and the establishment of a Stakeholder Group; which included Government Agencies, local government, including Rowlands Parish Council and community and environmental groups.

The work undertaken to prepare the Outline Plan in 2009 was informed by a series of public exhibitions in 2008. Information boards were installed across the site in key locations explaining the scheme and how to get involved.

In 2020, due to Covid-19 situation, it wasn't possible to hold face-to-face exhibitions, so, instead Portsmouth Water ran a series of public webinars that included interviews with scheme experts as well as live Q&A sessions. A large promotional campaign was also launched, to reach as many people as possible, including 50,000 leaflets posted to local households with details on how to get involved and find out more.

The proposal has been subject to extensive review and consultation. Extended negotiations have taken place, resulting in the plans being significantly amended to

address concerns raised; revising the design, layout and improving landscaping, which has improved the impact of the development on neighbouring residential properties. The application is supported by an Environmental Statement (ES) together with specialist reports in respect to the key issues, including landscape impact, ecology, highways and drainage. Full extended publicity has been undertaken on the initial and amended plans including consultation, notification of neighbours, site notices and adverts in the press.

#### Planning considerations

The local plans, for Havant and East Hampshire, highlight the critical need for a reservoir at Havant Thicket in order to meet future population and housing demands of the region.

The Scheme would result in the loss of approximately 13.67 ha of irreplaceable ancient woodland, 7.18 ha priority lowland mixed deciduous woodland habitat, 1.21 ha of purple moor-grass and rush pasture priority habitat and 3.7 km of watercourses.

The Outline Biodiversity Mitigation and Compensation Strategy includes a commitment to a minimum of 110 ha of compensatory measures relating to the loss of ancient woodland. A bespoke on-site habitat would be created to compensate for the loss of purple moor-grass and rush pasture.

In addition, a fund would be established to enable community and environmental groups to bid for the funding of local environmental projects helping further mitigate against lost habitat.

The Strategy also includes a commitment to significant improvements to watercourses in the nearby Hermitage Stream waterbody to compensate for the loss of watercourses within the Site.

Whilst it's noted the effect on the RPG and Conservation Area is significant, it does not reach the level of 'substantial harm' as the significance of the assets remain substantially intact and readily discernible.

Interpretation boards would be added to provide information regarding the cultural heritage of the site, how the site has evolved over time, the compensatory measures taken in its creation and how the design of the reservoir has drawn cues from natural features such as the alignment of The Avenue.

Improvements have been agreed with the Highway Authority for pedestrian, cycle, and vehicular access to address the concerns raised. These include: the prevention of rat-running; enhanced crossing facilities to allow pedestrians and cyclists to have improved access to the site.

Following extensive review and consultation to address concerns over vehicular, pedestrian and cycle access. It is now considered that the development would provide safe access to the site would not have a severe impact on the safety and free flow of the highway network. The application proposes several enhancements to pedestrian, cycle users, furthermore the proposed Bridleway Diversion, would provide an acceptable replacement Public Right of Way.

Whilst it is recognised that the site is in flood zones 1, 2 and 3; significant flood mitigation measures have been included. The proposal additionally meets the requirements of the sequential test as it would provide a robust and reliable water supply.

The proposed mitigation plans, which includes both onsite and off-site ecological improvements to waterbodies, are considered to provide an appropriate balance of measures to satisfy both Article 4.7 Water Framework Directive and Biodiversity Net Gain requirements.

In terms of flood risk, the detailed flood risk assessment, including emergency drawdown strategy, have been considered acceptable by the Environment Agency (EA) and Local Lead Flood Authority.

The Councils have conducted a joint Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. The screening under Regulation 63(1)(a) found overall, the Scheme would result in reductions in nutrients loads (particularly nitrates) to the internationally protected Chichester and Langstone Harbours Special Protection Area (SPA) from the Hermitage Stream catchment (including the flows from the Bedhampton and Havant Springs), and from Habitat loss. The subsequent Appropriate Assessment included a package of measures based on the suggested scale of mitigation in the Position Statement on Nutrient Neutral Development, where this development would result in reduction of nutrients, and the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021). The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur.

To conclude, it is considered that the development demonstrates that there is an overriding public need for the Scheme which would help meet the deficit resulting from the restriction on abstraction from the internationally designated River Itchen and the nationally designated River Test and would help to conserve and enhance the biodiversity of these rivers. There is a lack of suitable alternative sites, or design solutions within the application site, which avoids loss of ancient woodland or harm to the Grade II\* RGP and Sir George Staunton Conservation Area. Furthermore, a 'suitable compensation strategy' comprising extensive mitigation and compensation measures has been developed in discussion with Natural England, the Environment Agency, and Hampshire County Council. This would provide the 'wholly exceptional reasons' and 'clear and convincing justification' in line with the National Planning Policy Framework, and as such planning permission is recommended to be granted subject to conditions and legal agreement.

## **1 Site Description**

- 1.1 This scheme includes the reservoir at Havant Thicket and the pipeline connecting to Bedhampton Springs. The 'reservoir site' includes Havant Thicket which is Forestry England land in the northern part of the application site. The reservoir site lies within a shallow valley between Leigh Park and Warren Park (south and west of the site), and Rowlands Castle (north and east of the site). The site straddles the local authority boundary between Havant Borough Council and East Hampshire District Council, with the district boundary running through The Avenue woodland within the site. The pipeline component of the Scheme, 'pipeline corridor' lies wholly within Havant Borough Council and is considered under application APP/20/00991. The boundary of the South Downs National Park (SDNP), lies near the site on the northern side of the B2149.
- 1.2 The reservoir site has an area of approximately 160 hectares and comprises predominantly of open grassland with some woodland, vegetation and ditches. It has

undergone change post World War II, with much of the once woodland and forest covering being cleared and converted to pasture grassland. Although the area has changed since the time when the 19th century Parkland was created, it still retains features and elements in the landscape which are in keeping with both the parkland and lowland areas adjacent to the South Downs. The landscape character changes by the urban edges of Warren Park and Leigh Park, comprising residential properties and apartment buildings, and further afield by large power pylons and the A3(M) trunk road.

- 1.3 At the centre of the reservoir site is an area designated as ancient woodland that runs from the south-east to north-west known as The Avenue. Three other areas of ancient woodland: Middle Clearing; Round Wood and Corsican Pine Plantation are located within the reservoir site. A Public Right of Way (bridleway) extends from east to west through the centre of the site. The bridleway runs from Manor Lodge Road in the east to Park Lane in the west, linking Rowlands Castle with Cowplain. There are further access points into the reservoir site from the public highway. These are as follows: a path off the corner of Swanmore Road; a path from Bitterne Close via the Country Park; Whichers Gate at the Manor Lodge Road/Whichers Gate Road junction; a path from Manor Lodge Road park via the Forestry England car park and a logging track also off Manor Lodge Park Road.
- 1.4 The land in Staunton Country Park (SCP) is designated Open Access land, which includes a number of permissive paths within and adjoining the reservoir site, including along The Avenue. Within the Havant Thicket woodland to the north there is a mixture of gravel logging routes and grassed routes. A number of footpaths run adjacent to and in the proximity of the reservoir site to the south and east in Rowlands Castle and the country park. A cycleway runs along Swanmore Road immediately to the west of the reservoir site. To the east, National Cycle Route 22 runs from north to south and passes close by the farm at SCP.
- 1.5 Portsmouth Water purchased the Site from the Forestry Commission (now Forestry England) in 1965 and Portsmouth City Council in 1966. Since its purchase, the land has been improved for agricultural use through the removal of tree stumps, drainage, crop rotation and soil improvement. It is currently let to Staunton Country Park and managed by Hampshire County Council (HCC) who use it for grazing. The reservoir site is easily accessible by pedestrians from all directions. There are several cycle routes and permissive paths, and the reservoir site is crossed by a bridleway, which provides a right of way for equestrians. Car parking, including two spaces for horse boxes, is available off Manor Lodge Road, within land managed by Forestry England. The car park is informal and has approximately 16 spaces available.
- 1.6 The woodland directly north of the reservoir site is owned and managed by Forestry England (FE) for timber production and is also classified as ancient / ancient replanted woodland. Directly to the west of the reservoir site are open areas of grassland and woodland known as Bells Copse and Cabbagefield Row. South of these wooded areas lies the predominantly residential district of Leigh Park and Warren Park, with the closest residential properties on Swanmore Road being approximately 20 metres from the reservoir site.

*Environmental designations - Historic Environment*

- 1.7 Part of the reservoir site is classed as a designated Country Park, namely Staunton Country Park. The area of Staunton Country Park within the reservoir site is mainly open grasslands. It has three walking trails including: Easy Access, 2.6 km, Medium Walking Trail, 2.2 km and Long Walking Trail, 5.1km. There are also two cycling trails: Havant Thicket Boundary Trail and Green Mountain Bike Trail.



- 1.8 The historic environment within the reservoir site includes portions of the Grade II\* Registered Park and Garden (RPG) at Leigh Park (Staunton Country Park) and the Sir George Staunton Conservation Area.
- 1.9 Within the reservoir site, The Avenue, Middle Clearing and Round Wood are classified as Ancient Semi-Natural Woodland (ASNW). The Corsican Pine Plantation is classified as Plantation on Ancient Woodland Sites (PAWS). A significant part of Havant Thicket woodland to the north is listed as PAWS. Bells Copse, located to the west, also located within the wider reservoir site is also listed as partly ASNW and partly PAWS. These woodland blocks are designated as Sites of Importance for Nature Conservation (SINC). In addition, four Priority Habitats are present within the reservoir site namely: purple moor-grass and rush pasture; lowland dry acid grassland; wet woodland; and lowland mixed deciduous woodland.
- 1.10 The majority of the reservoir site is located in a low flood risk area, Flood Zone 1. One section of the Site (southwest corner), is categorised as being in Flood Zone 2 and 3. Flood Zone 3 is the area of highest risk of flooding. There are three watercourses which enter the north of the reservoir site, named Headwater Streams 1-3, these converge into a single watercourse towards the southern boundary. There are also two shorter watercourses within the reservoir site (Headwater Stream 4 and 5). All watercourses are very narrow, typically around 1m in width, and are generally dry from May to October.

## **2 Planning History**

This is a cross boundary application with East Hampshire District Council, the application reference number for this application is 51680/001

APP/20/01062 and 51680/002 - S257 Bridleway Diversion application to enable development under planning application references APP/20/00990 and 51680/001, currently under consideration

### Linked pipeline application:

APP/20/00991 - Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) development of a new pipeline to transfer water from Bedhampton Springs to fill the reservoir in the winter and draw it off to treat and supply when needed in the summer comprising: Construction of an underground, bi-directional pipeline linking the reservoir with the existing pumping station at Bedhampton; Emergency drawdown discharge structure at Hermitage Stream; Upgrades to existing culverts; Washout and air valve chambers (typically below ground).

PRD.3622 - Outline planning permission was granted by Hampshire County Council on 20/01/1964 for the construction of a 1,500 million gallon reservoir on a land area of 424 acres at Havant Thicket (HCC Plan No. PRD.3622). The development was not implemented

15413/1 A further application for outline planning permission was granted by Havant & Waterloo Urban District Council on 16/10/1966 for the reservoir (now part of HBC). Portsmouth Water formally appealed against a new condition which was removed and a new outline consent without the condition was issued in December 1966 (HWUDC Plan no. 15413/1). The development was not implemented

15413/2 – Outline application for a new reservoir Portsmouth Water applied again for

outline planning permission for the reservoir in 1980. The LPAs agreed 'in principle' to the reservoir but deferred granting formal permission so that further discussions could take place on the proposed means of access. In 1985, Portsmouth Water withdrew the application as water resource forecasts indicated that the need for the reservoir was not pressing at that time.

### **3 Proposal**

- 3.1 The proposal is for a new reservoir, with associated recreational facilities. When constructed would be filled with surplus water drawn from the springs at the Bedhampton works when flows are at their highest in winter via a new combined inlet/outline pipeline. It would also provide water supplies to Portsmouth Water customers, particularly in the summer months when demand is higher. The increase in water supplies available to Portsmouth Water, on completion of the Scheme, would enable additional water to be supplied to Southern Water. Southern Water has a forecast deficit in water resources in the Hampshire area which has been created by the reduction of its abstraction licences on the internationally designated River Itchen and River Test imposed by the Environment Agency.
- 3.2 The reservoir is included for Water Resources in the South East Group's regional strategy and Portsmouth Water and Southern Water's 25-year and 50-year Water Resources Management Plans, which gained approval from the Secretary of State for the Environment, and then Ofwat, in 2019. The Scheme would provide over 35% of water supply need over the next 25 years. It would help Portsmouth Water to free up existing supplies in the west of the catchment area to share with Southern Water's customers in order to meet the region's challenges in the future, in particular relating to abstraction licence changes, predicted population growth and climate change.
- 3.3 The proposed development for the reservoir comprises the following elements:
- A pumped storage reservoir, with the minimum required total storage capacity of 8,700 million litres (Ml), to support the planned bulk supply transfer of at least 21Ml per day in extreme (currently defined as 1:200 year) drought conditions;
  - The reservoir would fill the majority of the proposed 160-hectare site and would be about 1.6km from east to west, 0.8km from north to south and up to 18 metres deep;
  - Construction of an earth embankment is only needed on the southern side due to the size and topography (bowl shape) of the site;
  - Construction of a control house that would be partially incorporated within landscaped south-west embankment
  - Construction of an overflow discharge/spillway at the south-western side of the reservoir and associated works
  - Construction of a new junction on the B2149 Manor Lodge Road and a new junction on Swanmore Road with access routes from both junctions, terminating at the visitor car park
  - Provision of 193 car parking spaces these include spaces for reserved for staff, coach/minibus and disabled drivers. There would also be an additional 70 to 75 overflow spaces
  - Construction of perimeter tracks and a network of bridleways, cycle paths and footpaths
  - Construction of a visitor centre / café, with storage areas and welfare facilities to the northwest of the reservoir to be used for recreational and education purposes
  - Provision of picnic area(s) and children's play area(s)
  - Creation of a permanent wetland on the northern side of the reservoir and construction of bird watching hide/screen(s)

- Construction of a slipway on the western bank of the reservoir for operational use only
- Provision of viewing areas on the southern embankment and western edge of the reservoir
- A small section of the proposed pipeline (210m) is included in the reservoir application.

3.4 The application outlines that the Scheme would result in the loss of approximately 13.67 ha of irreplaceable ancient woodland, which includes loss of 17 veteran trees. It would also remove part of the RPG as well as a portion of the Conservation Area. As part of the application an Outline Mitigation and Compensation Strategy has been submitted, which has been prepared by Portsmouth Water in conjunction with the Environment Agency and Natural England. This strategy is based on seven core elements:

- An environmentally-led design based on the mitigation hierarchy approach of avoid, mitigate and then compensate
- Creation of new and high-quality habitats on the site, including a new open waterbody with a retained wetland offering variable water depths, a variety of vegetation types and islands for added habitat complexity and to act as area for roosting and nesting sites for birds
- New woodland/parkland planting has been undertaken as advance works
- Enhanced land and environment management for biodiversity on the wider site through collaboration with Forestry England and Hampshire County Council, including a long-term site management plan
- Support for others to create new high biodiversity value habitats off-site, through provision of long-term capital grants
- Ensure appropriate mitigation and compensation is implemented for protected any notable species. European Protected Species licences would be obtained where required
- Provide greater protection of nationally and internationally important chalk stream habitats by reducing water abstraction from the Rivers Test and Itchen.

3.5 This strategy commits Portsmouth Water to providing a minimum of 110ha of off-site compensatory measures relating to the loss of ancient woodland, these are outlined below:

| Mitigation scheme                                                  | Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Creation of 80ha of new wood pasture and neutral grassland habitat | <p>Creation of 80ha of new wood pasture (60ha) and neutral grassland habitat (20ha) through a partnership. This long-term project would see the creation of up to 80ha of woodland/wood pasture (60ha woodland 20ha grassland). The ambition is to deliver as much as possible in the local area, to compensate for on-site woodland loss. The new woodland would be planted over a maximum 15 year period, in order to ensure variability in the structure of the new habitat.</p> <p>The location of this area is currently still in discussion and would be subject to land availability. The project would be delivered as one large unit of land if possible, but if that is not, smaller parcels of land would be acquired, ideally next to existing parcels of woodland.</p> <p>Implementation and management would be detailed</p> |

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|                                                                                                                                                                                                                                  | <p>once the site/s have been selected and a long-term management plan would be prepared. It would be important to ensure that management aligns with adjoining land in order to ensure continuity.</p> <p>Proposals would aim to provide a matrix of habitats that would provide the opportunity to support species that have been displaced by the HTR proposals.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Up to 72ha of habitat restoration in Southleigh Forest                                                                                                                                                                           | <p>Up to 72ha of habitat restoration within Southleigh Forest, which is within the ownership of Portsmouth Water. Southleigh Forest forms part of a larger woodland block that extends to the north, south, east and west. The woodland straddles the Hampshire/Sussex border, in the South Downs National Park with c.25ha located in West Sussex. It is bordered on its southern boundary by Emsworth Common Road and on its western boundary by Woodberry Lane comprising a mixed species plantation would be brought into positive ecological management.</p> <p>A detailed management plan would be prepared for the woodland to include the gradual felling of plantation woodland and restoration to a more semi-natural woodland over a 30 year period.</p>                                                                                                                                                                                                                                                                                                                                                                |
| Compensation and enhancement package for the loss of 3.7km of ephemeral stream on the site and mitigating the impact of the development on the Hermitage Stream, which is a Water Framework Directive (WFD) qualifying waterbody | <p>This proposal for the reservoir would see mitigation and compensation delivered for the loss of 3.7km of watercourses that would be directly lost due to the Scheme's embankment construction activity, some of which is considered to be high quality habitat. The Scheme is located in the Riders Lane Stream which is a sub-catchment of the Hermitage Stream water body.</p> <p>The mitigation and compensation would provide a mixture of on-site and off-site improvements and aims to create, or improve, riverine habitat through a range of different techniques.</p> <p>The package of measures, for the water environment includes both on-site and off-site mitigation and compensation totalling up to 5.5km of watercourse improvement. The on-site mitigation and compensation plan (approximately 1.57km) concentrates efforts in the headwater streams upstream of the reservoir.</p> <p>The measures outlined comprise a mixture of new compensation measures, which include:</p> <ul style="list-style-type: none"> <li>• New compensation flows channel to mitigate the loss from the reservoir,</li> </ul> |

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|                       | <ul style="list-style-type: none"> <li>• Removing bed and bank protection and re-naturalisation of stream channels</li> <li>• Improvements to stream profile,</li> <li>• Creating on-line ponds,</li> <li>• Improvements to existing ponds,</li> <li>• River restoration including natural flood Management.</li> </ul> <p>Implementation and management would be detailed once the site/s have been selected and a long-term management plan would be prepared. It would be important to ensure that management aligns with adjoining land in order to ensure continuity.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Capital Grants Scheme | <p>The proposal for the reservoir would see the majority of the 160ha site developed, and therefore the on-site space available for mitigation and compensation measures is limited. Where habitats would remain unaffected by the proposals, such as the extreme east of Gipsies Plain or south west corner of the site at Gammon's Hill, advance planting has already taken place. Other on-site mitigation/compensation measures, such as the new 10ha wetland, would be delivered during and post construction.</p> <p>In order to provide robust mitigation and compensation measures and ensure that biodiversity net gain is delivered on the ground, Portsmouth Water propose a long-term Capital Grants Scheme.</p> <p>The Capital Grants Scheme fund would be set at a cap of £1.2m for the duration of the project, which would be equivalent to providing a £15,000 sum for 80 years. However, the project fund would be delivered over a 30 year period, thereby providing £40,000 per annum for that period.</p> <p>If the fund is not fully spent in any year it should be rolled over to be spent in future years (or paid to the Local Planning Authorities for the same purpose) on recommendations from the steering group.</p> <p>The objectives of the grants scheme would be to provide funding for conservation projects in the local area. These would ultimately be determined by the steering group but broadly they would seek to achieve the following:</p> <ul style="list-style-type: none"> <li>• Enhancement or creation of new habitats, such as woodland, grassland or wetland habitats. These would be particularly beneficial where they link up existing habitats thereby contributing to the Nature Recovery Network;</li> </ul> |

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|  | <ul style="list-style-type: none"> <li>• Species specific studies aimed at furthering the knowledge base for priority species, such as bats (e.g. Bechstein's and Alcahroe), hazel dormouse and aquatic macro-invertebrates;</li> <li>• Survey equipment for the use of knowledge enhancement in the local area.</li> </ul> <p>The overall project owner would be Portsmouth Water, but a Capital Grants Scheme Steering Group, which would include representatives from Local Authorities, community groups and consultees. The Steering Group would be set up to assess projects against the set criteria. Successful applicants would have the sole responsibility of delivering their projects. Applicants would be required to monitor the outcomes of their projects against their specific objectives and report on an appropriate basis, which would be determined by the project scope.</p> |
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3.6 One of the reasons why the Havant Thicket site was originally identified as a potential reservoir site in the 1960s was because it formed a natural bowl underlain by clay, which could be used as part of the construction of the embankments, thus reducing the costs and environmental impact of construction as material would be sourced and retained on site. This proposal for this reservoir would involve the majority of the material required for the embankment walls, by utilising the excavation of the clay material from within the site. For any other materials that are required the applicant has outlined that they would be sustainable and suitable for the rural context of the reservoir in a country park, and locally sourced where possible, such as through the reuse of elements of the ancient woodland that would be removed.

3.7 This is a hybrid planning application, part detailed (for the reservoir, access, associated engineering works and landscaping) and part outline (for associated buildings and works to the Riders and Hermitage Streams).

Application for which full planning consent is sought:

| Proposed Development                         | Scope                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reservoir capacity                           | <ul style="list-style-type: none"> <li>• Minimum required total capacity: 8,700 million litres</li> <li>• Maximum capacity: at least 9,600 million litres, up to a Top Water Level (TWL) of 39.5m Above Ordnance Datum (AOD).</li> <li>• Lowest operating level - 27.5m AOD.</li> <li>• Lowest 20% to be considered dead storage, minimum level before reservoir operationally fails.</li> </ul> |
| Supply rate                                  | <ul style="list-style-type: none"> <li>• Output capacity: at least 21 ML/d in extreme (currently defined as 1:200 year) drought conditions.</li> </ul>                                                                                                                                                                                                                                           |
| Embankment adjacent to Staunton Country Park | <ul style="list-style-type: none"> <li>• Toe (edge) of the embankment is fixed at a minimum of 25m from the edge of woodland</li> </ul>                                                                                                                                                                                                                                                          |

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                             | <p>along the southern boundary of the Site (known as Hammond's Lands Copse). Length of embankment at 1:5 is approximately 185m along this stretch and 390m of embankment with slope varying from 1:5 to 1:7</p> <ul style="list-style-type: none"> <li>• Staircase detail along alignment of The Avenue joining pedestrian access from Staunton Country Park with viewing area at the crest</li> <li>• This viewing area would provide a look out/viewing area to provide views across the water to the visitor centre and wetlands as well as looking back above the tree line of the Avenue</li> <li>• The southern embankment would be grassed tiered slopes reflecting the historic Avenue and provide relaxation spots on the south facing slopes.</li> <li>• Measures for Public Interpretation to provide an understanding of the Historic context of the site.</li> </ul> |
| Top Water Level (TWL)       | <ul style="list-style-type: none"> <li>• 39.5m AOD</li> <li>• 1.0m freeboard (height from TWL to embankment crest) to prevent/limit overtopping.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Spillway / overflow         | <ul style="list-style-type: none"> <li>• 3m long weir/ 700mm diameter pipe.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Slope protection material   | <ul style="list-style-type: none"> <li>• Range of up to 450mm thick layer of protection. Rip-rap (rock armour). Rock mattresses would be brushed with topsoil allowing planting with aquatic / marginal species such as reeds and sedge grasses.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Emergency drawdown facility | <ul style="list-style-type: none"> <li>• Discharge capacity of 10.9 m<sup>3</sup>/s</li> <li>• Reservoir can be lowered by 1/3 of water depth in 6 days</li> <li>• 1.4m diameter scour pipe and submerged discharge valve discharging into Riders Lane Stream at the proposed control house</li> <li>• 1.2m diameter inlet /outlet pipe discharging into the Hermitage Stream 3km downstream</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Vehicle Access              | <ul style="list-style-type: none"> <li>• New junctions off B2149 (to the north) and Swanmore Road (to the south).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

3.8 Application for which Outline planning consent is sought, reserved matters applications would be subsequently prepared and submitted to the Local Planning Authorities in the following areas:

- The buildings - reserved matters applications would address the detailed appearance of the visitor centre and bird hide and control house
- Wetland retaining structure and islands - permission is sought within this application for the approximate alignment of the wetland retention structure, its form, functionality, size and extent. The alignment would be reviewed and updated once the location of the borrow pits have been confirmed by further site investigation. The exact positioning of the islands is subject to reserved matters
- Viewing area (on western boundary) - permission is sought in this application for the

approximate location and outline design

- The land use layout for the corner to the north-west of the reservoir (visitor centre, car park and bird hide) - an outline layout of these facilities is provided in this application to demonstrate how the uses could be accommodated within this area but this would be subject to detailed design
- Embankment profile/toe (apart from interface with Staunton Country Park which is fixed)
- The children's play areas and operational boat slipway are shown in this application as indicative in location only.

3.9 The buildings and structures for which outline planning permission is sought, are defined by a series of parameters that fix their maximum and minimum dimensions. These are as follows:

| <b>Proposed development</b>                                                              | <b>Scope</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Embankment                                                                               | <ul style="list-style-type: none"> <li>• Max 20m high</li> <li>• Crest level 40.5m AOD</li> <li>• Length 2,770m</li> <li>• Inside slope: to range from 1:5 to 1:7.</li> <li>• Outside slope: majority 1:7 with local variations to 1:5 at Round Wood and the Avenue woodland (see below)</li> <li>• Outer toe (edge): +/- 2m horizontal range (north to south)</li> <li>• Crest line position: 0 – 37m horizontal range (to north) to accommodate any potential future need for reducing the outer face slope from 1:5 to 1:7.</li> </ul> |
| Wetland retaining structure – located on the proposed northern embankment                | <ul style="list-style-type: none"> <li>• A retained wetland extending for approximately 1.3km along the northern shoreline. 4No. retained wetland compartments, plus provision of an area for wet grassland habitat creation to the east of the retained wetland</li> <li>• Retention of wetland during drought levels in main reservoir</li> <li>• Minimum area of retained wetland provided ~10ha.</li> </ul>                                                                                                                           |
| Control house – located within the southern embankment adjacent to Staunton Country Park | <ul style="list-style-type: none"> <li>• Maximum width of building frontage: 33m</li> <li>• Maximum height of building wall above external ground level: 6m (excluding security fence)</li> <li>• Schedule of accommodation: total area approximately 430m<sup>2</sup> (excluding courtyard).</li> <li>• Reinforced concrete outer structure with cladding, composite roof slab with green roof, steel frame/blockwork internal walls.</li> </ul>                                                                                         |
| Visitor Centre – located on the north-western shore of the reservoir                     | <ul style="list-style-type: none"> <li>• Maximum envelope of 35m x 55m and maximum height of 10m</li> <li>• The application details that the visitor centre would include:</li> <li>• A reception area with information about water wildlife, the historic environment, and the activities for visitors;</li> <li>• A large open plan café with large windows to</li> </ul>                                                                                                                                                               |



|                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                 | <p>give views over the wetland, with seating for up to 50 people;</p> <ul style="list-style-type: none"> <li>• A waterside terrace, with wildlife viewing facilities and space for additional visitors;</li> <li>• A small space where locally grown food, art and other produce could be sold;</li> <li>• A flexible education and community space, with a separate outdoor area, cloakroom, toilets and storage; and</li> <li>• A staff area with office, break room, store and toilet.</li> </ul> |
| Bird hide – located on the north-western shore of the reservoir | <ul style="list-style-type: none"> <li>• Maximum envelope of 9m x 20m and maximum height of 5m.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                           |
| Viewing area                                                    | <ul style="list-style-type: none"> <li>• Location along the western boundary and outline design.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                          |
| Northern Access Route from junction with B2149 and car park     | <ul style="list-style-type: none"> <li>• Single lane, 3.65m wide carriageway with passing bays and 0.5m verges with 0.9m embankment slopes and a 6.45m wide footprint.</li> </ul>                                                                                                                                                                                                                                                                                                                    |
| Public art                                                      | <ul style="list-style-type: none"> <li>• A wide interpretation of public art would be explored within the site, for features such as benches, walls and signposts. An integrated approach of public art with street furniture would be explored for items such as benches, cycle racks and bins.</li> </ul>                                                                                                                                                                                          |
| Play space                                                      | <ul style="list-style-type: none"> <li>• Spaced play to combine nature-themed playground equipment with trails and greenways would create a playful trail experience for children and families.</li> </ul>                                                                                                                                                                                                                                                                                           |
| Pipeline – considered under application APP/20/00991            | <ul style="list-style-type: none"> <li>• Maximum diameter of pipeline: 1.2m</li> <li>• Maximum length: 4.85km (of which 210m within reservoir site and application)</li> <li>• Maximum envelope for above ground kiosk (associated with discharge structure): H3m x W6.5m x L10.5m is the size of above ground kiosk at Hermitage Stream (excluding slab H0.5m x W6.5m x L11.6m). Overall height: 3.5m above ground level.</li> </ul>                                                                |

### **Legal agreement**

- 3.10 A legal agreement would be required to secure a number of matters, which would need to include the proposed Outline Biodiversity Mitigation and Compensation Strategy. The applicant has committed to delivering the necessary level of aquatic habitat mitigation reasonably required to offset the impacts of the development on the Hermitage Stream waterbody. The outline Biodiversity Mitigation and Compensation Strategy is intended by the Environment Agency and Natural England to be an adaptable document in relation to the ways in which these commitments are discharged, and would, therefore, be amended and updated through the delivery process with their input and agreement.

### **Access**

- 3.11 A Bridleway Diversion application, known as a section S257 order, has been submitted to divert the bridleway which crosses the site, to the agreed final diversionary path,

accompanied by section 106 obligations requiring a permissive path(s) to be in place at a sufficient time during the construction phase and the diversionary route to be constructed and useable by a certain point in the development. The diverted route would need to be constructed and made available as soon as possible during the construction phase.

#### Site management

- 3.12 A standard obligation in the S106 would require reservoir site and pipeline management arrangements and maintenance, these would be incorporated into a Management Plan, to be submitted at a relevant point prior to 'occupation'. The applicant has signed a Memorandum of Understanding with Hampshire County Council and the Forestry Commission/Forestry England, in terms of managing the site.

#### Phasing

- 3.13 The construction of the reservoir would be spread over several phases over approximately 10 years due to the detailed design required, environmental mitigation, preparatory operations, seasonal clay working limitations and time taken to fill the reservoir with water. The construction compound would be located within the northwest corner of the reservoir site. Reservoir construction traffic would access the site via the northern access off the B2149. This is the current indicative timetable:

|                                              |                                                                                                                                                                                                                                                                           |
|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Phase 1 2021/2022</b><br>Enabling works   | Commencement of works, including: <ul style="list-style-type: none"> <li>• Species relocation</li> <li>• tree felling</li> <li>• preparatory work on habitats avoiding breeding /nesting seasons</li> <li>• enabling works including access road construction.</li> </ul> |
| <b>Phase 2 – March 2023 – September 2026</b> | <ul style="list-style-type: none"> <li>• Construction of culvert structure</li> <li>• Embankment and reservoir control house.</li> </ul>                                                                                                                                  |
| <b>Phase 3 – Autumn 2026 – Spring 2029</b>   | <ul style="list-style-type: none"> <li>• Construction of visitor facilities</li> <li>• Filling of reservoir in stages with pumped water from Bedhampton Springs</li> <li>• Testing and commissioning.</li> </ul>                                                          |

- 3.14 The outline planning approval would be subject to detailed Traffic Management and Construction Environmental Management plans which would include measures to reduce disruption from construction activities. The reservoir and pipeline would be constructed in phases, to reduce the amount of traffic travelling to and from the reservoir site at any one time. It is likely that the pipeline would be broken down into sections to allow multiple teams to operate at the same time. Whilst it is expected that both the northern and southern access points would be available, HGV construction traffic would be required to use the northern access as the main access point, with the southern access only being used for construction of the top third of the pipeline. Construction traffic for the lower two thirds of the pipeline would access the pipeline corridor directly from junctions 2 and 3 of the A3(M). The application documentation outlines that construction during school term times would be avoided, for the elements of the pipeline runs close to schools.

#### Application Documents

- 3.15 The application is supported by a number of documents, drawings and illustrative material:

| <b>Document</b>                                             | <b>Scope</b>                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Planning Statement                                          | Overview of site, context, relevant planning policies and assessment of the proposed development.                                                                                                                                                                                                                                                                                                                                             |
| Design and Access Statement                                 | The Design and Access Statement provides more detail on the location, scale, accessibility, layout and appearance of the different elements of the Scheme at the reservoir site and illustrates how the Scheme has evolved since 2009 to reduce impacts on ancient woodland, the setting of the Grade II Historic Park and Garden, the Conservation Area and the local highway network.                                                       |
| Environmental Statement                                     | Description of the proposed development, consideration of alternatives and assessment of the likely significant effects of the development on the environment.                                                                                                                                                                                                                                                                                |
| Environmental Statement Non-Technical Summary               | The main findings of the ES presented in non-technical language.                                                                                                                                                                                                                                                                                                                                                                              |
| Development Specification and Engineering and Design Report | Sets out the specification for the development and what is being considered in full and outline in this application.                                                                                                                                                                                                                                                                                                                          |
| Outline Biodiversity Mitigation and Compensation Strategy   | Sets out the mitigation compensation strategy, which is to be an adaptable document in relation to the ways in which these commitments are discharged, in consultation with statutory consultees and would therefore be amended and updated through the delivery process.                                                                                                                                                                     |
| Water Framework Directive (WFD) – Article 4.7 Statement     | The WFD precludes the authorisation of individual projects which may cause the deterioration of the status of a body of water, unless a derogation under Article 4.7 of the WFD is justified. A framework approach demonstrating how the Scheme would meet the Article 4.7 tests, and a commitment by Portsmouth Water to the reasonable and necessary river habitat mitigation has been constructed in dialogue with the Environment Agency. |
| Foul Sewage and Utilities Assessment                        | Drainage assessment and impact on existing sewers and utility services.                                                                                                                                                                                                                                                                                                                                                                       |
| Statement of Community Involvement                          | Reports on consultation activities undertaken in the preparation of the application.                                                                                                                                                                                                                                                                                                                                                          |

### **Environmental Impact Assessment (EIA)**

- 3.16 By virtue of the scale and effects of the development on the environment the proposed new reservoir and associated infrastructure and works constitutes EIA development under the Town and Country Planning (Environmental Impact Assessment)

Regulations 2017 ('EIA Regulations'). The scope of the EIA was agreed with the relevant authorities and statutory consultees and the ES reports the findings of that assessment. This hybrid planning application for the development of a reservoir and a separate outline planning application for the pipeline, which is being considered in parallel under application APP/20/00991. As the reservoir site and pipeline corridor are a 'single project' (i.e. inextricably linked) they are supported by one Environmental Statement (ES) which assesses both the reservoir and pipeline. The following topics were identified as having likely significant effects:

- Air Quality
- Historic Environment
- Biodiversity
- Ground Conditions
- Landscape and Visual Impact
- Noise and Vibration
- Traffic and Transport – including a Transport Assessment
- Material Resources and Waste
- Water (including Flood Risk Assessment outlining flows, quality and groundwater)
- Effect on Climate
- Vulnerability to Major Accidents and Disasters
- Population and Human Health
- Cumulative and In-Combination Effects.

3.17 The Environmental Statement includes a Record of Environmental Actions and Commitments (REAC) which would be implemented during the construction and operation of the reservoir site and access routes, and pipeline. The REAC would also inform the reserved matters applications, legal agreement and planning conditions for the Scheme. The relevant actions are summarised below to enable a full understanding of the phasing and associated requirements of this development at outline and reserved matter stages. The actions and commitments are relevant to both parts of the Scheme (reservoir and pipeline) unless indicated otherwise:

|   | <b>Detailed commitments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Reserved matters applications to be submitted within 5 years of outline consent granted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2 | Reserved matters (details) applications for reservoir to be prepared and submitted for approval in relation to the following components of the reservoir: <ul style="list-style-type: none"> <li>a. The buildings - Visitor centre and bird hide and control house</li> <li>b. Layout of the north west corner including visitor centre, car park and bird hide</li> <li>c. Viewing area</li> <li>d. Embankment profile/toe (apart from where the embankment joins Staunton Country Park which is fixed)</li> <li>e. Wetland</li> <li>f. Children's play areas.</li> </ul> |
| 3 | Reserved matters (details) applications for pipeline to be prepared and submitted for approval in relation to the following: <ul style="list-style-type: none"> <li>a. Confirmation of pipeline route within red line boundary</li> <li>b. Design of associated structures e.g. culverts (appearance, scale, layout).</li> </ul>                                                                                                                                                                                                                                           |
| 4 | Scheme to be constructed in accordance with the submitted design and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|    |                                                                                                                                                                                                    |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | approved planning drawings.                                                                                                                                                                        |
| 5  | Preparation of an Archaeological Management Plan (Reservoir).                                                                                                                                      |
| 6  | During detailed design, explore options for enhancement and interpretation of the historic environment as part of public realm amenities (Reservoir).                                              |
| 7  | Preparation of detailed Biodiversity Mitigation and Compensation Strategy.                                                                                                                         |
| 8  | Preparation of a detailed long-term landscape and ecological management plan including management measures, monitoring and plan review requirements (post five-year aftercare period) (Reservoir). |
| 9  | A strategy for advance and phased mitigation planting / landscape reinstatement (Reservoir).                                                                                                       |
| 10 | Preparation and implementation of a Watercourse Mitigation and Compensation Strategy (including fish management plan).                                                                             |
| 11 | Preparation of an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS), Tree Protection Strategy (Pipeline).                                                           |
| 12 | A Soil Management Plan including separate management of ancient woodland soils for restoration (Reservoir).                                                                                        |
| 13 | Preparation of a Construction Environmental Management Plan (CEMP) informed by the Outline CEMP and REAC.                                                                                          |
| 14 | Preparation of a Construction Traffic Management Plan to manage the impact of HGV traffic on the highway network (including construction sequencing plan).                                         |
| 15 | Preparation of a construction travel plan to maximise opportunities for staff travel to and from the site using modes other than the private car.                                                  |
| 16 | Preparation of an operational travel plan to maximise opportunities for staff and visitors to travel to and from the site using modes other than the private car (Reservoir).                      |
| 17 | Preparation of a Site Waste Management Plan.                                                                                                                                                       |
| 18 | Preparation of a Materials Management Plan in accordance with CL:AIRE Definition of Waste: Development Industry Code of Practice.                                                                  |
| 19 | Preparation of a Drainage Management Plan.                                                                                                                                                         |
| 20 | Preparation of a Renewable Energy Strategy (Reservoir).                                                                                                                                            |
| 21 | A strategy for offsite woodland and wood pasture creation (Reservoir).                                                                                                                             |
| 22 | Preparation of a strategy for capital grants scheme and / or biodiversity                                                                                                                          |

|    |                                                                                          |
|----|------------------------------------------------------------------------------------------|
|    | net gain strategy.                                                                       |
| 23 | Preparation of a visitor management plan.                                                |
| 24 | All permits, consents and licences to be in place prior to commencement of construction. |

3.18 The Record of Environmental Actions and Commitments (REAC) as part of the Outline Environmental Management Plan (OEMP) comprises the following mitigation measures:

- During construction, an environmental clerk of works (ECoW) would monitor compliance with all environmental management requirements, plans and restoration
- Retention and protection of identified trees, shrubs and hedges that are considered to be significant (by reason of landscape or visual importance), would be carried out in accordance with British Standards Institute (2005): BS 5837:2012 Trees in Relation to Construction
- All other existing vegetation to be retained (e.g. grasslands and wetlands) as part of the Scheme would be protected in accordance with measures REAC as part of the OEMP.

## 4 **Policy Considerations**

### 4.1 National Planning Policy Framework

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development based upon a number of core principles and themes. Those most relevant to this Scheme relate to:

- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Facilitating the sustainable use of minerals

4.2 NPPF paragraph 20 requires local authorities to have strategic policies setting out an overall strategy for the pattern, scale and quality of development and make sufficient provision for inter alia, infrastructure for water supply. Broad locations for infrastructure required should be indicated on a key diagram, and land-use designations and allocations identified on a policies map. Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities.

4.3 The NPPF advises Local Authorities to have strategic policies for infrastructure in their Local Plans, which would include a reservoir, to ensure the strategic needs of the area are discussed. To identify what is required in terms of the area's infrastructure needs, Local Authorities must have an effective dialogue with the relevant bodies. The NPPF states a strategic approach to maintaining and enhancing networks of habitats and green infrastructure is needed. The NPPF states that water supply and quality is a cross-boundary issue and that there is a duty to cooperate.

Meeting the challenge of climate change, flooding and coastal change

- 4.4 The NPPF advises the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, in line with the objectives of the Climate Change Act 2008. NPPF Paragraph 149 states *“Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure”*.
- 4.5 The NPPF provides advice in terms of flood risk. It states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, and the development is safe for its lifetime. In Flood Zone 1, a site-specific flood risk assessment should accompany all proposals involving sites of 1 hectare or more. Due to climate change, increases in flood risk need to be assessed to understand the long-term implications of flood risk. Paragraph 149 encourages infrastructure to be resilient.

Conserving and enhancing the natural environment

- 4.6 Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity value, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 4.7 Paragraph 172 considers great weight should be given to conserving and enhancing landscape and scenic beauty in for example, National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks.
- 4.8 Paragraph 175 requires the following principles to apply when determining planning applications:
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), permission should be refused.
  - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
  - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
  - d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

A footnote to Paragraph 175 (c) states infrastructure projects....” where *the public benefit would clearly outweigh the loss or deterioration of habitat”*.

- 4.9 Paragraph 176 states that Special Protection Areas (SPAs), Special Area of

Conservation (SAC) and Ramsar sites should be given the same protection as habitats sites and Para 177 states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Conserving and enhancing the historic environment

- 4.10 Paragraph 189 requires proposals affecting heritage assets to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 4.11 Paragraph 193 outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 4.12 Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II registered parks or gardens should be exceptional, assets of the highest significance including grade I and II\* registered parks should be wholly exceptional.
- 4.13 Paragraph 195 continues and states where a proposed development will lead to substantial harm to (or total loss of significance of) consent should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 4.14 Paragraph 196 states that where a development proposal 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 including, where appropriate, securing its optimum viable use.
- 4.15 Paragraph 197 states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. *In weighing applications that affect directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*"
- 4.16 Paragraph 198 states that "*Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*"

Making efficient use of land

- 4.17 Paragraph 118 encourages multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental



gains – such as developments that would enable new habitat creation or improve public access to the countryside. It recognises that some undeveloped land can perform many functions, such as for wildlife and recreation (paragraph 118b).

- 4.18 Paragraph 122 supports support development that makes efficient use of land, taking into account availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use.

Promoting healthy and safe communities

- 4.19 Paragraph 91 supports the achievement of healthy, inclusive and safe places which enable and support healthy lifestyles, for example through the provision of safe and accessible green infrastructure and layouts that encourage walking and cycling.
- 4.20 Paragraph 92 supports the provision of recreational facilities and services the community that plan positively for the provision and use of shared spaces and community facilities to enhance the sustainability of communities and residential environments and that support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- 4.21 Paragraph 96 supports access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and paragraph 98 seeks to protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

**Draft National Policy Statement (NPS) for Water Resources**

- 4.22 The draft National Policy Statement for Water Resources Infrastructure (NPS) sets out the need and government's policies for the development of Nationally Significant Infrastructure Projects (NSIPs) relevant to water resources in England. It will help to ensure that where nationally significant water resources infrastructure is needed, it can be delivered in a timely manner to a high standard. Consultation on the draft National Policy Statement for Water Resources Infrastructure published by DEFRA commenced on 29 November 2018 and ended on 31 Jan 2019. Whilst the Scheme is not an NSIP, and therefore does not need to adhere explicitly to the NPS, it remains a material consideration.
- 4.23 Section 3 of the draft NPS sets out the general criteria for the assessment of NSIPs principles namely relating to the design, environmental, health, safety and security aspects of a scheme. Section 4 focuses on the potential construction and operational impacts of water resources infrastructure, the assessments that an applicant will need to carry out, and the specific planning requirements that the applicant will need to meet, in order to gain development consent. Of relevance to the Scheme, the following should be considered:
- Environmental net gain - Water resource infrastructure projects have the potential to deliver significant benefits and enhancements, resulting in environmental net gains.
  - Criteria for 'good design' for water resources infrastructure - good design is a key aspect of sustainable development, creates better places and helps make infrastructure projects acceptable to communities. Applicants should provide sufficient information in its application to demonstrate how the design process was conducted (including stakeholder engagement) and how the proposed design evolved.
  - Climate change adaption – regard should be had to the desirability of mitigating, and adapting to, climate change. New water resources infrastructure will typically be a long-term investment which will need to remain operational over many decades. Consequently, the applicant must consider the impacts of climate change at design,

- build and operational stages.
  - Health - The construction and use of water resources infrastructure has the potential to affect people's health, wellbeing and quality of life. New or enhanced water resources infrastructure may also have indirect health impacts through improvements in access, opportunities for cycling and walking, or the use of open space for recreation and physical activity.
- 4.24 Paragraph 2.6.5 highlights that Reservoirs can have benefits other than helping to secure a more resilient water supply and protect the environment. They can enhance the environment and the wildlife that exist in it by providing new habitats and nesting and breeding grounds for birds. Recreational and wellbeing benefits can also be achieved and in some cases, they can also provide resilience to downstream flood events and can play a potential role in water trading by supporting water transfer schemes.

#### **Local Plans**

- 4.25 Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) require a local planning authority determining a planning application to do so in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.26 The Development Plan for Havant Borough consists of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Local Plan (Allocations Plan) and the Hampshire Minerals and Waste Plan. The Development Plan for East Hampshire District Council consists of the East Hampshire District Local Plan: Joint Core Strategy (2014) and the Hampshire Minerals and Waste Plan 2013. The proposed development is supported in principle by the Development Plans.

#### **Site specific policies**

- 4.27 The reservoir and pipeline route are safeguarded in the adopted development plans by the following policies:

##### **Havant Borough Local Plan (Core Strategy) 2011**

CS18 (Strategic Site Delivery) and  
CS19 (Effective Provision of Infrastructure)

##### **Havant Borough Local Plan (Allocations) July 2014**

AL6 (Havant Thicket Reservoir Pipeline Route)  
AL7 (Hermitage Stream)

##### **East Hampshire District Local Plan: Second Review (2006)**

U12 (The site south of Havant Thicket)

##### **East Hampshire District Local Plan: Joint Core Strategy (2014)**

Policy CP26 (Water Resources and Quality)

- 4.28 Policies CS18 (HBC) and CP26 (EHDC) outline that Havant Thicket Reservoir is a Strategic Site. The Scheme is key infrastructure to ensure water supply in South Hampshire and will require a code of construction practice to mitigate its impacts as part of a formal planning application. The policy notes there is major leisure and recreation potential that will complement Staunton Country Park and have health and well-being benefits. The policy includes construction of a new junction on the B2149 to provide the main access and parking for 125 cars plus cycle and pedestrian paths and renewable energy infrastructure. The policies outline specific requirements as follows:

- a) The development must be sustainable, fully-maintained and cost-effective and deliver environmental and community benefits
- b) The use of the reservoir for recreation should complement existing provision in the borough and become an attraction for local communities
- c) The use of the water should be limited to supervised, water-based activities such as canoeing and kayaking
- d) The reservoir should provide additional leisure opportunities which complement existing provision in the borough and help attract more day visitors to Staunton Country Park
- e) Recreational provision should be appropriate to the countryside location and should not include any motorised activities
- f) Green infrastructure links between the rest of Leigh Park and Dunsbury Hill Farm will be enhanced
- g) Construction traffic should be minimised in Leigh Park, Rowlands Castle and other residential areas
- h) Public vehicular traffic should be restricted within the site and confined to the vicinity of the main access
- i) Vehicular access is expected from the B2149 outside the borough
- j) Recreation provision should include a network of paths for walking, cycling and horse-riding and the potential for links with the Riders Lane and Hermitage Stream Corridors should be considered
- k) Access and the surfacing of paths should take account of the needs of all
- l) Natural and rural character should be conserved in particular by limiting impacts on biodiversity including the creation of additional habitats; compensating for the loss of, and effects on, sites of importance for nature conservation, the listed park and conservation area; enhancing adjacent sites of importance for nature conservation; ensuring that the pipeline avoids Great Copse, which should be protected during construction; integrating the reservoir and the new landscape with the historic landscape of the Sir George Staunton Conservation Area and existing woodland; minimising the loss of ancient woodland and trees
- m) The potential impacts on the Langstone and Chichester Harbours as well as the Hermitage Stream should be minimised in terms of ecology, water quality and flow effects
- n) Opportunities for biodiversity enhancements associated with the reservoir and the Hermitage Stream should be realised wherever possible
- o) The risk of flooding during storm events should be fully assessed in a flood risk assessment and mitigation put in place to minimise all risks
- p) The proposal should realise the potential for renewable energy dependent on nature conservation and other site constraints
- q) Regeneration opportunities arising from the new pipe works between the reservoir and the water works must enhance the habitats, recreation opportunities and cycle and pedestrian accessibility along the stream corridors.

4.29 Policy AL6 (Havant Thicket Reservoir Pipeline Route supports the inclusion of a new pipeline in association with the reservoir scheme. Policy AL7 (Hermitage Stream) is directly relevant to the parallel planning application for the pipeline (APP/20/00991), and outlines that planning permission would be granted for development proposals that positively contribute to the improvement of the Hermitage Stream.

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

**Havant Borough Local Plan (Core Strategy) March 2011**

- CS1 (Health and Wellbeing)
- CS5 (Tourism)
- CS6 (Regeneration of the Borough)

|      |                                                                                   |
|------|-----------------------------------------------------------------------------------|
| CS11 | (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) |
| CS13 | (Green Infrastructure)                                                            |
| CS15 | (Flood and Coastal Erosion)                                                       |
| CS16 | (High Quality Design)                                                             |
| CS17 | (Concentration and Distribution of Development within the Urban Areas)            |
| CS18 | (Strategic Site Delivery)                                                         |
| CS19 | (Effective Provision of Infrastructure)                                           |
| CS20 | (Transport and Access Strategy)                                                   |
| DM8  | (Conservation, Protection and Enhancement of Existing Natural Features)           |
| DM10 | (Pollution)                                                                       |
| DM12 | (Mitigating the Impacts of Travel)                                                |
| DM14 | (Car and Cycle Parking on Development (excluding residential))                    |

#### **Havant Borough Local Plan (Allocations) July 2014**

|      |                                                                  |
|------|------------------------------------------------------------------|
| AL1  | (Presumption in Favour of Sustainable Development)               |
| AL2  | (Urban Area Boundaries and Undeveloped Gaps between Settlements) |
| AL6  | (Havant Thicket Reservoir Pipeline)                              |
| AL7  | (Hermitage Stream)                                               |
| DM20 | (Historic Assets)                                                |

#### **East Hampshire District Local Plan: Joint Core Strategy (2014)**

|      |                                                                                   |
|------|-----------------------------------------------------------------------------------|
| CP1  | (Presumption in favour of sustainable development)                                |
| CP2  | (Spatial Strategy)                                                                |
| CP9  | (Tourism)                                                                         |
| CP16 | (Protection and provision of social infrastructure)                               |
| CP17 | (Protection of Open Space, Sport and Recreation and Built Facilities)             |
| CP18 | (Provision of open space, sport and recreation and built facilities)              |
| CP19 | (Development in the Countryside)                                                  |
| CP20 | (Landscape)                                                                       |
| CP21 | (Biodiversity)                                                                    |
| CP23 | (Gaps between Settlements)                                                        |
| CP25 | (Flood Risk)                                                                      |
| CP26 | (Water Resources and Quality)                                                     |
| CP27 | (Pollution)                                                                       |
| CP28 | (Green Infrastructure)                                                            |
| CP29 | (Design)                                                                          |
| CP30 | (Historic Environment – including Impact on setting of South Downs National Park) |
| CP31 | (Transport)                                                                       |
| HE8  | (Development affecting the setting of a Listed Building)                          |
| HE17 | (Archaeological & Ancient Monuments)                                              |

#### **Havant Borough Local Plan – submission version February 2021**

In 2019, the Council consulted on a Pre-Submission Local Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). However, there has been a near 18-month delay to submitting the Plan due to the need to respond to the Dutch Case and ensure that all new development can be nutrient neutral.

The Council subsequently consulted on the proposed changes to the Pre-Submission Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for public consultation between 3 November 2020 to 17 December 2020. The proposed changes include a strategic

mitigation solution for addressing nutrient neutrality.

The Havant Borough Local Plan was submitted to the Secretary of State for Housing Communities and Local Government for examination on 12 February 2021. An inspector will now be appointed on behalf of the Secretary of State to undertake an examination of the plan.

Until that time, the emerging Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF. This confirms that weight may be given to policies in emerging plans depending on a number of factors. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the emerging Local Plan referenced below are currently afforded limited weight, dependent on the extent to which there are unresolved objections to relevant policies.

The relevant planning policies of the emerging Local Plan are:

KP9 – Havant Thicket Reservoir. This strategic site allocation is carried forward into Policy KP9 of the Local Plan, with associated developer requirements largely transposed from the adopted plan policy for this site, with a number of key additional/expanded developer requirements (emphasis added) as follows:

'j. Changes to the natural and rural character are mitigated in particular by:

.....i. Limiting impacts on biodiversity including the creation of additional habitats to ensure biodiversity net gain is secured.....

....v. Minimising the loss of ancient woodland and trees and compensating for the loss of irreplaceable habitat within a costed management strategy;

vi. A comprehensive mitigation strategy is secured for impacts to protected and notable species, including appropriate mitigation measures for Bechstein's bats in line with Policy E15.'

'm. Opportunities have been explored for the prior mitigation of minerals to the satisfaction of Hampshire County Council;

n. The potential impact of the development on the setting of the South Downs National Park has been assessed any necessary avoidance and mitigation measures are included in the scheme design.'

Other relevant policies:

DR1 – Delivery of Sustainable Development

DR2 - Regeneration

IN1 - Effective Provision of Infrastructure

IN2 – Improving Transport Infrastructure

IN3 – Transport and Parking in new development

IN5 – Future management and management plans

E1 – High Quality Design

E2 - Health and wellbeing

E3 – Landscape and settlement boundaries

E6 – Best and most versatile agricultural land

E9 - Provision of public open space in new development

E12 – Low Carbon Design

E13 – Historic Environment and heritage assets

E14 – The Local Ecological Network

E15 – Protected Species

E16 – Solent Special Protection Areas  
EX1 – Water Quality impact on the Solent European sites  
E17 – Solent wader and Brent Goose feeding and roosting sites  
E18 – Trees, hedgerows and woodland  
E19 – Managing flood risk in new development  
E20 – Drainage infrastructure in new development  
E22 – Amenity and pollution

### **East Hampshire District Draft Local Plan**

The Draft version of the Local Plan (2017 -2036) was published under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation from 5 February to 19 March 2019. Paragraph 48 of the NPPF (2019) sets out the circumstances when emerging planning policies may be given weight in determining planning applications. Based on the current early stage of preparation, the draft Local Plan policies are currently afforded no weight.

The draft relevant policies are:

S4 - Health and Wellbeing  
DM1 - Provision and Enhancement of open space, sport and recreation  
DM14- Provision and enhancement of tourism use  
S18- Landscape  
S19- Biodiversity, geodiversity and nature conservation  
DM24- Gaps between settlements  
DM25- The local ecological network  
DM26- Trees, hedgerows and woodland  
S25 - Managing flood risk  
DM29 - Water quality and water supply  
S23 - Green Infrastructure  
S24 - Planning for Climate Change  
S27 - Design and local character  
S28 - Heritage assets and the historic environment  
DM33- Conservation Areas  
DM35 - Listed Buildings  
DM40 - Historic landscapes, parks and gardens  
S31 - Havant Thicket Reservoir

### **Supplementary Planning Documents**

The following Supplementary Planning Documents (SPDs) are also relevant:

Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016  
East Hampshire Vehicle Parking Standards SPD July 2018  
East Hampshire Planning Contributions and Community Infrastructure Levy

Listed Building Grade: No Listed Buildings lie within the application site.  
Conservation Area: Sir George Staunton and Grade II\* Registered Park and Garden (RPG) at Leigh Park (Staunton Country Park)

## **5 Statutory and Non Statutory Consultations**

This section provides a summary of the consultation response. The full consultation responses are found in appendix A.

### **Arboriculturalist**

The main areas of comment are:

- Ancient woodland. - The loss of the Avenue is unacceptable from my perspective, it is

irreplaceable and cannot be supported by the Tree Service.

- Loss of plantation Oak stands - this is extensive and in arboricultural terms not defensible, as such I am unable to support this level of tree removal.

The overall proposed tree loss on this site is significant and extensive, the applicant is however ensuring that major mitigation planting will be achieved on site, if the planning application is accepted then it is vital that replanting and restocking on site are undertaken and that a full maintenance programme is set up and actioned.

#### **Building Control, Havant Borough Council**

The proposed work is exempt under Building regulations.

#### **Chichester Harbour Conservancy**

No response received

#### **Community Infrastructure, Planning Policy & Urban Design**

Community Infrastructure Levy (CIL) - not liable as an Outline Application, at Reserved Matters Stage the retail area of the Visitor Centre could be CIL Liable if it exceeded 280sqm.

S106 - This is a very specialised application and it is anticipated the need for a S106 Agreement will arise out of consultee responses. We would expect any financial contributions to be indexed.

#### **Conservation Officer - Full response in appendix A – 1.1**

As the harm by the proposals is less than substantial it is for the planning officer to weigh the benefits of providing the reservoir against the harm to the significance of the registered park as is required by paragraph 196 of the NPPF. However, I recognise that providing a reservoir to secure reliable drinking water for years to come is a public benefit and potentially a very significant one that may outweigh the harm to the park.

#### **Councillor Beryl Francis – Havant Borough Council**

##### Original comments

I strongly support the creation of the reservoir. With global warming, it will be needed in the future. The plans should create a lovely country park and nature reserve.

Some aspects of the plan, which have been discussed over the years, appear to have slipped and need attention.

1. It was agreed that it would not be desirable for the Southern approach to be the principal entry and used for heavy construction traffic and as a major route for tourists from outside of Havant.

- A. Swanmore Road, where it is located, is the route to the Warren Primary School and Park Families Nursery which are in Sandleford Road.
- B. It is a strongly residential area.

It is difficult to understand why the Southern road entrance to the reservoir is so large and why the route from there is for two way traffic when the route from the North, where the heavier traffic is supposed to enter, is a single lane with passing places

The Southern entry needs to be much smaller and the road from the South the single lane with passing places. The Northern route should be for two-way traffic to accommodate the heavier vehicles and greater tourist traffic from away.

2. We were concerned that the reservoir road should not be used as a RAT RUN

between us and the A3M and Rowlands Castle. There was to be some sort of obstacle (a locked gate) in the car park which could be controlled, when necessary, from the visitors' centre. This appears to be missing from the plan.

3 For many years there have been problems with off road motorcycles in Havant thicket. To protect the area of the reservoir a measure was to be installed to stop motor cycles but be horse friendly. I do not see this in the plan.

4. We were concerned about undesirable activity with cars racing through the woods at night. Lockable gates at both ends of the road should be installed and locked at night.

5. I understood that the visitor centre would be located on the NE shore but now it appears to be on stilts over the wet land area. This might greatly disturb the birds to be viewed and ruin the facility.

6 Originally, there was to be some water sport activity (canoeing) for local children. There would need to be provision for this.

Response to additional information

No response received

**Councillor Jo Lowe – Havant Borough Council**

No response received

**Councillor John Davis – Havant Borough Council - Comments received prior to the May Local Elections.**

Support with comments:

1. Concerned about the intensity of use of the southern access especially use for construction traffic
2. Concerns about the potential for rat-running between the northern and southern access
3. Concerned about the location of the visitor centre, which should be located on the shore, to ensure it does not conflict with the wetland habitat

**Councillor Malc Carpenter – Havant Borough Council**

No response received

**Councillor Malcolm Johnson – East Hampshire District Council**

As the local ward councillor for Rowlands Castle, I have been involved, via the stakeholder group, in conversations with Portsmouth Water on the reservoir for some considerable time.

One of the points that was discussed and made clear to the Company was that there would not be a vehicle through route linking the southern access with the northern one via the car park. Currently on the drawings as submitted (DRG No:HTR-ATK-ZZ-ZZ-DR-L-0015) there is no barrier shown in the car park area which would prevent this becoming a rat run.

Additionally, the Company agreed that for night-time security there would be closing gates at the entrances to both access points. Again, these are not shown at present. (Drgs No: HTR-ATK-AR-RE-DR-D-0002/0005) Currently within the outline permission for the LEOH development to the north of this site on the B2143, there is initially a 30mph limit rising to a 40mph section before it becomes the national speed limit further south along the B2149. There is a proposal for a central right turn lane for traffic



wanting to access the new site arriving from the north along the B2149. This road is barely wide enough for HGV's to pass at this point so without a road widening scheme I do not believe there is currently sufficient width of road to accommodate a central turning lane.

I particularly request that in your conversations with HCC Highways you push for the 30mph limit to be retained right down to the new reservoir entrance before it becomes the national speed limit. The B2149 is carrying an ever-increasing traffic flow and I suggest that vehicle speed must be controlled up to the new entrance for obvious safety reasons.

Response to additional information

No response received

**Rowlands Parish Council**

Response summarised

RCPC supports the provision of a new reservoir adjacent to Havant Thicket as a means of improving water resilience in the southern counties together with enhanced environmental features, particularly the wetland. It also supports providing some recreational amenities around the reservoir, (walking, cycling, horse-riding tracks; viewpoints and a degree of visitor support infrastructure (parking, café, educational facilities). It does not support the overdevelopment of visitor infrastructure so that the area is overburdened with visitors and the natural peace and tranquillity of the area lost as a result. The whole issue of the visitor centre, its location and the surrounding infrastructure needs to be reviewed and the expert advice provided over time be drawn upon to provide a more harmonious arrangement.

Response to additional information:

No response received

**Countryside Access Team**

Countryside Service Summary Hampshire County Council's Countryside Service are minded to support this planning application subject to the following additional information and revised plans being submitted for clarification, alongside the recommended mitigation and contributions to be secured by planning condition and / or

S106 legal agreement:

- Implementation / funding of landscaping and habitat creation on Hampshire County Council land.
- Costed Landscape and Ecological Mitigation Management and Monitoring Plans – for both construction and long-term management phases.
- A Construction Environmental Management Plan.
- Amendment of the Traffic and Transport Assessment to include omitted Bridleways and connections to the site.
- Review and revision of equestrian and vehicle access at Swanmore Lane
- Surfacing of on-site Bridleway 121.
- Contribution for surfacing off-site of Bridleway 120, Bridleway 123 and Footpath from Leigh Park in Staunton Country Park.
- Contribution towards Footpath 505 in south, Staunton Country Park paths and Bridleway 24 Shipwrights Way.
- S257 application(s) submission. Confirmation and Certification; and Commuted sum contribution for maintenance.

**County Archaeologist**

#### Response summarised

Archaeology is not considered to be an overriding matter and I am happy for archaeological evaluation and mitigation to be secured by the use of archaeological conditions. I would suggest such conditions should explicitly reference archaeological survey, archaeological mitigation and appropriate reporting of results. However given the discrepancy between the level of mitigation which it is my advice is needed in order to satisfy the planning authority that the development can be sustainable with regard to archaeological matters, and the level of mitigation currently suggested by para 8.79 of the ES, I strongly recommend that the planning authority seek some amendment or addendum to the ES from the applicant prior to the determination of the application to confirm that any AMP secured by archaeological conditions will include provision for archaeological remains beyond the prehistoric, the already known and Park related, and will include for example provision for Roman and medieval remains, including earthworks potentially associated with the landscape use as a Chase in the medieval period.

#### **Officer response:**

Further to additional correspondence, confirmation has been provided that archaeological matters are not overriding and can be secured by an archaeological condition (or conditions) attached to a planning permission. He further states that he is happy that the condition (or conditions) secure an Archaeological Management Plan (AMP), the AMP to provide appropriately for all aspects of archaeological recording (recognising that the inadvertent exclusions implied by the ES were not intended and so would not be applied. i.e. archaeology encountered would be recorded on its merits/significance).

#### **County Ecologist - Full response in appendix A – 1.2**

##### **No Objection subject to conditions and legal agreement:**

Additional information is provided within the Habitats Regulations Assessment completed by Havant Borough Council and East Hampshire District Council.

In summary, I am now confident that my previous queries have been addressed satisfactorily and that there is sufficient reassurance that proposed mitigation, compensation and enhancement measures can be delivered.

#### **County Minerals - Full response in appendix A – 1.3**

##### **No objection subject to conditions:**

As the application confirms that the development will reuse material excavated as part of the reservoir, the County Council request that the applicant provide further detail within a construction management plan secured by planning condition.

#### **Hampshire Police - Crime Prevention - Full response in appendix A – 1.4**

##### **Original response**

Two vehicular accesses are to be created into the development one from Swanmore Road and the other from Manor Lodge Road (B2149). This will create a short cut between Swanmore Road and Manor Lodge Road (B2149) this connectivity will increase the opportunities for crime and disorder (Anti-Social Behaviour (ASB)), within the nearby area and the development itself. To reduce the opportunities for crime and disorder, a single vehicular access to the development should be provided from Manor Lodge Road (B2149), as is currently the case. If consent is granted for the vehicular accesses and vehicular connectivity as shown, Hampshire Constabulary object to this aspect of the development.

#### **Response to additional information**

No Objection - My previous letter of the 4th December 2020, highlights my main concern, being the creation of a vehicular route between Manor Lodge Road (B2149) and Swanmore Road. There would be very little natural surveillance of the route (especially during the hours of darkness) which would increase the opportunities for crime and disorder, within the local area and within Havant Thicket. My preference would be for one vehicular access into the site from the Manor Lodge Road (B2149). However, if physical barriers and landscaping can be used to prevent motor vehicles transiting between the two roads via the site and a management plan is put in place to address any Anti-Social Behaviour (ASB), that will provide sufficient mitigation for me to withdraw my objection.

### **Highways England**

No objection subject to condition.

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 A3(M) and A27.

Having examined the above application, we do not offer an objection to the proposal. However, we request that construction trips are, where practicable, minimised during the weekday peak periods to reduce their impact on the SRN and its junction. Careful consideration should also be given to the construction phasing of the development to ensure that it does not add to any construction impacts from other developments or schemes in the vicinity of this development. Therefore, we propose a Construction Traffic Management Plan is required.

### **Southern Water**

No Objection subject to conditions

Our investigations indicate that Southern Water can facilitate foul sewerage (at manhole reference SU71082801) disposal to service the proposed development.

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

Details are required of any Sustainable Urban Drainage Systems (SuDS), including details of maintenance are required.

### **Environment Agency - Full response in appendix A – 1.5**

No objection subject to condition and obligations in a legal agreement (response summarised):

In the absence of suitable mitigation measure the development would have an impact in terms of flooding and loss of biodiversity. However, the proposed mitigation plans, which includes both onsite and off-site ecological improvements to waterbodies addition, are considered to provide an appropriate balance of measures to satisfy both the Article 4.7 requirements and also Biodiversity Net Gain commitments. In terms of flood risk the detailed flood risk assessment, including emergency drawdown strategy, have been considered acceptable.

**Environmental Health Manager, Community Group**

No Objection – subject to conditions

The construction works at the Reservoir and along the access road do not give significant cause for concern. Neither does the assessment of vibration for the scheme.

I expect that until a Contractor is on board the Consultant cannot refine any further the details of plant and equipment to be used, and mitigation measures that might be employed, so the assessment has to be illustrative to a point, but I am keen that we get some refinement of the current assessment - if only to identify a realistic number of worst affected properties for each section of trenching and the length of time that they might realistically be affected by that level of noise. I am of the view that it is also important to indicate that we expect that there may be a requirement for noise insulation or temporary rehousing if this Scheme goes ahead. As such a number of conditions are required to mitigate the impact of the development.

**Forestry Commission – The Government advisors and specialists in woodlands**

Original response

While we appreciate the water resources drivers for the reservoir we would advise that any loss of ancient woodland should be restricted to that which is absolutely essential to the reservoir itself i.e. the direct footprint of the reservoir and dam. Loss due to associated activities would not meet the 'wholly exceptional' description quoted in the NPPF.

We advise that such a compensation strategy for loss of woodland beneath the reservoir should include SIGNIFICANT new woodland which is located and designed to optimize the ecological and wider ecosystem services it provides. We suggest that such new woodland should be sited to link and buffer existing ancient woodland in the local area. Ideally this new woodland should provide ecological corridors for key species impacted by the development while also helping enhance the wider social benefits of green infrastructure (such as access routes for local people).

Response to additional information:

We should also reiterate that while we appreciate the water resources drivers for the reservoir we would advise that any loss of ancient woodland should be restricted to that which is essential to the reservoir itself i.e. the direct footprint of the reservoir and dam. Loss due to associated activities would not seem to meet the 'wholly exceptional' description quoted in the NPPF.

We very much appreciate the many and diverse aspects which are encompassed in a project such as this. We have focused our advice on aspects relating to trees and woodland. We remain happy to discuss proposals further and help identify opportunities to compensate and mitigate for adverse impacts and optimize the positive impacts.

**Forestry England – Provide managements of the public forest estate and is also the landowner. Full response in appendix A – 1.6**

Forestry England (FE) cannot agree to any proposal that would destroy ancient woodland or agree to other mitigation work on our land that conflict with our existing management plans, policies and regulatory duties. At this stage FE do not feel the mitigation proposals are fully aligned with these principles FE has agreed with PW to continue to advise PW upon these matters but would reiterate that whilst supportive in principle of the 'project', FE must be beholden to these wider responsibilities.

**Officer comment:** There are ongoing discussions between Portsmouth Water and Forestry England around the mitigation and management plan. It will be for both parties to agree appropriate mitigation measures on Forestry England owned land, the final

details of which would be secured via the s106 agreement.

### **Hampshire Fire & Rescue**

Outline that the development would need to comply with Building Regulations to ensure access for the fire service, including adequate water supply provision.

### **Hampshire Highways Full response in appendix A – 1.7**

#### Original response

##### Summary

Additional information is sought from the applicant on both matters relating to the construction and operational phases before the impacts of the development can be fully understood and appropriate measures can be agreed with the applicant to minimise the impacts of the construction phase and ensure appropriate access, integration and operation of the site in the operational phase.

#### Response to further information

No objection subject to conditions and obligations.

The further information submitted by the applicant has considered and responded to the original concerns raised by the Highway Authority. The development subject of the conditions and obligations would not have a significant adverse impact on the safety and free flow of the highway network. In addition, the proposal would make adequate provision and mitigation towards enhancements to pedestrian and cycle provision in the wider area.

#### Response to additional information:

In summary, the County Council is supportive of the reservoir proposal in principle as it is an important infrastructure project that will help to provide reliable water supplies in Hampshire whilst also creating a new green, leisure facility for local communities.

Additionally, the Highway Authority is satisfied that the Framework CTMP covers the measures outlined in the previous response and therefore is satisfied that through continued dialogue with the applicant, and securing the CTMP through the planning process, the impact of the pipeline construction can be minimised and managed appropriately. Having regard to the above the Highway Authority raise no objection to the application subject to the conditions and required Section 106 obligations.

### **Hampshire Highways – Rights of Way Full response in appendix A – 1.8**

#### Original response

Hampshire County Council's Countryside Service are minded to support this planning application subject to the following additional information and revised plans being submitted for clarification, alongside the recommended mitigation and contributions to be secured by planning condition and / or S106 legal agreement:

- Implementation / funding of landscaping and habitat creation on Hampshire
- County Council land.
  - Costed Landscape and Ecological Mitigation Management and Monitoring Plans for both construction and long-term management phases.
- A Construction Environmental Management Plan.
- Amendment of the Traffic and Transport Assessment to include omitted Bridleways and connections to the site.
- Review and revision of equestrian and vehicle access at Swanmore Lane
- Surfacing of on-site Bridleway 121.
- Contribution for surfacing off-site of Bridleway 120, Bridleway 123 and Footpath

- from Leigh Park in Staunton Country Park.
- Contribution towards Footpath 505 in south, Staunton Country Park paths and Bridleway 24 Shipwrights Way.
- S257 application(s) submission. Confirmation and Certification; and Commuted sum contribution for maintenance

Response to additional information:

In terms of S106 obligations in respect of the County Council's statutory role regarding the management of the designated Public Rights of Way network, the Hampshire Countryside Service have advised that they have received an offer and are finalising their negotiations with the applicant for off-site contributions to provide improved access for bicycles and pedestrians from the highway on Middle Park Way to connect to the development; access facilities provided by the diverted Bridleway; and improved access to Waterloo via the Rights of Way network.

Additionally, the applicant has proposed a contribution to improve the on-site Bridleway and a contribution for the maintenance of the on-site Bridleways and improved cycles routes in Staunton Country Park (linking the development to Leigh Park). The improvements are set out in report HTR ATK RP – Z - 0076 and are considered to be in accordance with the Havant Thicket policies for the site allocation in both the emerging and the adopted Havant and East Hampshire Local Plans and are therefore considered proportionate, necessary and relevant to the development proposals for visitor facilities and the creation of a country park and improved green infrastructure.

For reference, Hampshire Countryside Service are no longer seeking a contribution for the surfacing of Park Lane / Bridleway 123 to improve access from Bridleway 120 to Warren Park or for Footpath 505 or for Shipwrights Way BW 24.

The Hampshire Countryside Service recommend that the wording of the draft Bridleway 120 / 29 Temporary Closure and diversion condition should be reviewed and they would be happy to discuss appropriate draft wording with you directly as required.

I will revert back to you early next week with the finalised Rights of Way position in writing on behalf of the Hampshire Countryside Service, so that you can report this to your planning committee as a written or verbal update.

Biodiversity Impacts and monitoring of residual impact:

The Hampshire Countryside Service do have some remaining concerns regarding off-setting of biodiversity impacts and the monitoring of residual impacts. Accordingly the Countryside Service advise that off-site ecological mitigation and the monitoring of impacts alongside biodiversity improvements and net gain (which is to be provided at Staunton Country Park) should also be secured via the S106 Agreement. Ecological enhancement and long-term management, monitoring and habitat management should also be secured in order to reduce the impacts on biodiversity, protected species and Habitats of Principal Importance in accordance with the Habitats Regulations Assessment, Environmental Statement and ecology reports and addendum submitted in support of the planning application and Environmental Statement.

**Officer response:** The negotiations between the Rights of Way Team are ongoing, members will be updated once this matter has been concluded.

**Historic England Full response in appendix A – 1.9**

No Objection – subject to condition

Summary

The proposed reservoir would cover part of a later 19th century Avenue that is part of

Leigh Park (Staunton Country Park), a grade II\* Registered Park. This would cause a high, but less than substantial, level of harm to the significance of the parkland. We accept that there is a justification for this harm, as it would not be possible to build a reservoir on this site without truncating the Avenue and suitable alternative sites for the reservoir are limited. We also acknowledge that the level of wider public benefit is likely to be assessed as high. We therefore do not object to this application and are content for it to be determined in its current form.

**Landscape Team - Full response in appendix A – 1.10**

Concerns have been raised regarding the lack of detail in the application, and potential impacts on the landscape these matters need to be considered and addressed

**Officer Comment** – The matters raised above will be dealt with at the subsequent Reserved Matters stage.

**Langstone Harbour Board - Full response in appendix A – 1.11**

No objection, subject to the environmental and mitigation measures being understood and fully realised.

**Leisure Officer**

The Havant Health Profile, identifies significant health inequalities within the borough, including levels of obesity and physical inactivity within adults and children, that are above regional averages.

The potential leisure infrastructure and physical activity opportunities associated to the proposed reservoir and its surroundings, including walking and cycling networks, visitor centre, play provision and watersport potential, provides a significant opportunity to positively impact on the health profile.

We look forward to seeing further detail emerge with regards to both land and water serving leisure facilities and the opportunity to consult on the detailed design of such, in relation to local need.

**Local Lead Flood Authority HCC**

No objection subject to conditions:

The submitted model result maps within the Flood Risk Assessment show the flood depths and extents of the existing baseline conditions, and for the expected operational and emergency situations including the breach scenario. Therefore, the Environment Agency (EA) should be consulted considering that they are responsible for the flood risk management associated with artificial sources.

The applicant has not submitted any information on how surface water runoff from the infrastructure that supports the new reservoir (access roads, new car park, visitor centre, etc) will be managed. Bearing in mind that this is an outline planning application, at this stage we would expect an outline drainage strategy which includes sufficient information to cover each points of our surface water checklist. Additionally, the applicant should submit a Construction Environmental Management Plan (CEMP) to show how surface water will be managed during construction phase of both planning applications.

Nevertheless, considering that this is an Outline Planning Application and the nature of the development, the County Council is content that these matters can be addressed through the use of suitable worded planning conditions

**Natural England - Full response in appendix A – 1.12**

### Original response

Further information required:

As submitted, the application will lead to a significant loss of irreplaceable habitat.

Paragraph 175c of the NPPF states that :

175. When determining planning applications, local planning authorities should apply the following principle:

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Natural England recommends that the local planning authority fully explores the “wholly exceptional reasons” relevant to this case and that it ensures the application avoids impacts, reduces (‘mitigates’) impacts and compensates as a last resort.

Further information is sought on:

- alternative options considered for the design of the access roads
- clarification of measures identified in the outline compensation and mitigation strategy and in relation to the outline pipeline application.
- a mitigation approach to address in-combination impacts on the favourable conservation status of Bechstein’s bat that hibernate in Singleton and Cocking Tunnels Special Area of Conservation.

### **Natural England – following the receipt of further information – dated 2<sup>nd</sup> March 2021**

Alternative options for the design of the access roads

#### Northern access – further clarification sought

In accepting the further harm associated with the proposed access route your authority should be satisfied that all alternative options that would reduce harm to the ancient woodland have been fully explored with key landowners. Natural England requested further information to clarify if all options have been fully exhausted. As you are aware, the northern access route is routed through ancient woodland and will have both direct and indirect effects, in addition to the arising from the footprint of the reservoir.

#### Southern access

It is Natural England’s preference that a buffer of a minimum of 15 metres is fully met for the southern access road. It is noted that this is not practicable for some sections of the southern access due to the tight constraints. We advise that the local planning authority is satisfied with the design details for the access route and that all alternative options and design measures have been considered in this case. We advise that this is explored by the local planning authorities as part of the wider discussion on access arrangements to ensure you are satisfied with the approach taken.

#### Mitigation and compensation strategy

It is welcomed that Portsmouth Water is producing action plans for the detailed elements of the mitigation and compensation strategy. It is noted that this is work in progress and we look forward to reviewing these action plans in due course.

If it would be helpful to the local planning authority, Natural England would be happy to attend a meeting to discuss how the elements outlined in the action plans are secured through the legal agreement.

### **Natural England – following the receipt of further information dated 22<sup>nd</sup> April 2021**

#### Alternative options for the design of the access roads

Our earlier response recommended that the alternative access route through Dunsbury Business Park is explored further by Portsmouth Water with input from the local planning authorities; Havant Borough Council, East Hampshire District Council and



Portsmouth City Council. The reservoir is of regional importance from a water resource perspective and will also provide a cross-boundary benefit in terms of recreational resource. Further information has been submitted on the access strategy, rat running and construction management.

In accepting the further harm associated with the proposed northern access route your authority should be satisfied that all alternative options that would reduce harm to the ancient woodland have been fully explored with key landowners and that there are 'wholly exceptional reasons' for this additional loss. We strongly recommend that the local planning authority satisfies itself that all less damaging alternative options have been fully exhausted.

#### Other biodiversity issues

One further outstanding issue relates to the impact of the reservoir on skylark territories. We advise that a Skylark Conservation Plan is secured that ensures mitigation to fully address the impact to existing skylark territories during construction and operation.

#### **Natural England – further response received 12<sup>th</sup> May 2021**

Natural England agrees with both the scope of the HRA and conclusions of the Appropriate Assessment. Provided the full suite of agreed mitigation measures are secured then Natural England is satisfied that the proposals will not have an adverse effect on the interest features for which the sites are notified.

Regarding the detail of the appropriate assessment we would note the following:

- The appropriate assessment sections for both the Singleton & Cocking Tunnels SAC and Solent Habitats sites refers to "Proposed, mitigation compensation and enhancement". This is misleading as although the scheme provides compensation for the loss of Ancient Woodland it is not required in relation to the Habitats sites, where impacts on bat foraging and roosting opportunities and water quality are fully mitigated, thereby avoiding the need for additional compensation measures.
- The primary purpose of the Capital Grants Scheme funded by Portsmouth Water is to provide long term compensation for the loss of Ancient Woodland. While the fund will also provide substantive benefits for local bat populations, most notably Bechstein's bat, it is not intended that the fund will deliver mitigation for the Singleton & Cocking Tunnels SAC. This point is relevant as the impacts to the supporting habitats for the SAC will happen at the commencement of construction of the scheme and not from 2029 when the grants scheme will come into effect. In our view irrespective of the grant scheme the timely delivery of the agreed onsite and offsite woodland restoration and habitat creation measures will ensure any impacts on local populations of Bechstein's and Western barbastelle bats that may use the Singleton & Cocking Tunnels SAC are fully mitigated.
- Natural England considers that the construction of the reservoir and its associated wetlands will also provide new functionally linked habitats that are likely to support wintering wildfowl populations that contribute to the special interests of the Chichester & Langstone Harbours SPA and

Ramsar.

- The operational phase of the reservoir is expected to provide a welcome reduction in nitrogen loads to the Chichester & Langstone Harbours SPA / Ramsar and Solent Maritime SAC.
- The reservoir will provide a significant visitor attraction which would be expected to help draw recreational use away from the more sensitive areas of the Chichester & Langstone Harbours SPA / Ramsar and Solent Maritime SAC.

**Open Space Society**

No response received

**Planning Inspectorate (for Secretary of State)**

No response received

**Planning Policy – East Hampshire District Council - Full response in appendix A – 1.13**

Support:

Planning Policy supports the principle of developing a new water storage reservoir at Havant Thicket, for reasons of securing water resources to meet future demands. Planning Policy also supports the recreational benefits alongside the reservoir, including the proposed network of footpaths, cycle routes and bridleways. However, concerns are raised in relation to the loss of SINCs, areas of ancient woodland and veteran trees, in terms of Policy CP21 of the Joint Core Strategy and the NPPF. It will be important to demonstrate that the potential impacts on biodiversity have been appropriately considered, mitigated and (where necessary) compensated for, taking into account the NPPF and Natural England's consultation response.

**Planning Policy – Havant Borough Council – Full response in appendix A – 1.14**

Support

The application proposals are supported in policy terms, subject to relevant environmental considerations (as set out above) being appropriately addressed. In addition, it will also be of importance to ensure that the scheme delivers appropriate community benefits which mitigate the loss of the recreation opportunities currently offer by the site.

**Portsmouth Water Company**

No response received

**Property Management - Hampshire County Council**

No response received

**Public Health Team**

No response received

**Ramblers Association, South East Hants Group**

Considers that the application provides for very few paths or access to be created and limited to paths around the southern edge which are necessary for maintenance and another for diversion of an existing PRow, the application misses the opportunity to improve the connectivity of the greater path network and the resulting encouragement of walking. The existing permissive paths and access to the site has little legal protection now or after the proposed reservoir is completed - suggest that the paths be

dedicated as PRow including the proposed temporary diversion of bridleway is dedicated as a permanent path giving a complete circle of the reservoir.

Response to additional information:

We still have concerns about the arrangements for the diversion of the Bridleway, and would still prefer that the northern temporary route becomes the permanent route.

**Officer comment:** *New Non Motorised User (NMU) access will be provided along Swanmore Road and improved access by Durants Road roundabout. Existing NMU entry locations will remain unchanged at Well Meadow, Winterslow Drive, Durants Road and in Staunton Country Park. The combination of these new and existing routes allow for a variety of different users to access the reservoir and its associated facilities.*

*The temporary bridleway will be restored to a permissive path allowing Forestry England to occasionally use these paths for operational reasons. Once the permissive path has been restored this will connect into the permanent bridleway allowing a circular route for all users of the reservoir. Some pathway improvements to existing paths will be determined during the detailed design stage.*

**Regeneration – East Hampshire District Council**

Response summarised:

Support - the proposal as it will not only provide a much-needed infrastructure asset, but also provide recreational and leisure opportunities for residents living in the southern parishes of Clanfield, Horndean and Rowlands Castle. In addition, the project provides a number of opportunities to enhance pedestrian and cycle routes and linkages between Havant Thicket, Leigh Park, Dunsbury Park and the southern parishes.

**Regeneration – Havant Borough Council**

Response summarised:

Support –

Regeneration Team consider that the economic and social benefits would include:

- all development that is enabled by the ability to provide water supply where previously it would be a constraint,
- construction and ongoing maintenance jobs,
- reputational impacts of major project being in the news and putting Havant on the (investors) map,
- tourism (day visitors and longer-term visitors to the wider area),
- events opportunities,
- Indirect business support through more visitors in the area
- learning centre jobs and volunteers,
- establishment of new organisations supporting environmental interests
- Outdoor play areas, outdoor Gyms, trim trail all positively impacting on health and wellbeing.

These are aspects of the proposal which has great potential for this area to engage the local community, including:

- Savings for the NHS from the community engaging with nature and culture
- Mental health benefits of engaging with the environmental aspects of the whole project and following through with ongoing interest
- Raising local individual and community interest which raises personal and educational aspiration
- Ability of PWC to continue/grow their Corporate Responsibility commitments.
- Benefits to the Itchen River socio-economic area from reduced abstractions

- Pipeline route – collaborate with partner organisations to improvements other utilities, leisure trail, surfacing and community engagement along the route construction

#### **Royal Society for the Protection of Birds**

No response received

#### **NHS South East Hampshire Clinical Commissioning Group**

As a Clinical Commissioning Group, we have a specific interest in new residential developments and how the increased population would directly affect local healthcare provision.

Thank you for informing us of the proposed redevelopment. However, as there are is no housing proposed in the development South Eastern Hampshire Clinical Commissioning Group does not wish to make any further comments at this time.

#### **South Downs National Park Authority**

##### Original response

The purpose of this SDNPA response is to consider the impact of the proposed development on the setting and statutory purposes of the National Park, which are:

- 1) To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;
- 2) To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

This will be to support Havant Borough Council and East Hampshire District Council in their duty to have regard to the impact of the development on the Purposes of the National Park, as required under S11A of the National Parks and Access to the Countryside Act 1949 (as inserted by S62 of the Environment Act 1995).

##### Summary

Both the Havant Borough and East Hampshire District Local Plans include policies relating to the safeguarding and allocation of this site for use as a reservoir, which are also being carried forward as part of their current reviews. The SDNPA has provided comment on pre-submission versions of both Local Plans, supporting the principle of these allocations.

The SDNPA have been involved in pre-application discussions since 2018 and is a member of the applicants' Havant Thicket Reservoir Stakeholder Group. It is recognised that the application site is allocated as part of both Havant Borough Local Plan 2011 and East Hampshire District Local Plan 2014 and the SDNPA does not object to the principle of the allocation and what the policy seeks to provide on the site.

However, there are aspects of the scheme which the SNDPA consider require further information or clarification prior to the determination of the application. Further comments are provided below.

##### Conclusion

Whilst the SDNPA supports the principle of the proposed development, it considers that there is further information and clarification required, as set above, prior to the determination of the application. The SDNPA would also welcome the opportunity to comment at reserved matters stage, particularly with regard to the education offer, access routes and the visitor centre.

No response received to further consultation on further information

**Southern Electric**

No response received

**Southern Gas Network**

No response received

**Sport England**

The proposed development does not fall within either our statutory remit therefore Sport England has not provided a detailed response in this case.

**The Gardens Trust**

The Gardens Trust (GT) in its role as statutory consultee with regard to proposed development affecting a site listed by Historic England (HE) on their Register of Parks and Gardens as per the above application. We have liaised with our colleagues in the Hampshire Gardens Trust (HGT) and their local knowledge informs this joint response.

It is very unfortunate that the new reservoir will destroy part of the Grade II\* registered park and garden (RPG) of Leigh Park and truncate the avenue. However, we appreciate that there is very little option for alternative suitable locations for the reservoir. We very much regret the loss of ancient woodland but have to accept that the public benefit outweighs the substantial damage to the RPG, and the new reservoir, if permitted, will stop water extraction from important chalk streams. We would suggest that suitable discreet interpretation be sited on the viewing area to enable visitors to understand the lost landscape.

**Traffic Management,**

The Traffic Team have no adverse comment to make

**6 Community Involvement**

This application was publicised in accordance with both Council's Code of Practice for Publicity of Planning Applications, as a result of which the following publicity was undertaken both at the time of the original submission and following the receipt of amendments:

Number of neighbour notification letters sent: 95

Number of site notices: 10.

Statutory advertisement: 20/11/2020

Number of representations received: 107

Comprising 109 objections and 21 in support of the scheme

**Summary of representations:****Amenity groups:****CPRE – The Countryside Charity (summarised)**

CPRE Hampshire are aware that this project has been a long time in the planning by Portsmouth Water (PW) and whilst we support in principle the creation of the reservoir at this site to store water for public use, we have significant concerns over the proposed loss and damage to areas of ancient woodland.

We welcome the cooperation of Southern Water (SW) with Portsmouth Water (PW) on this project, which has recently produced this “enhanced hybrid Havant Thicket Plan” which is part of the solution to the shortage of water being experienced by SW. This shortage results in the extraction from the fragile Rivers Itchen and Test in periods of drought. It is predicted, given the rainfall changes due to climate change in the South East, that drought permits will need to be sought every year to meet demand until SW provides its alternative sources as indicated in its WRMP. This has already happened in both 2019 and 2020 when permit applications were averted only by rainfall.

However, CPRE Hampshire does have significant concerns that as submitted, the application will lead to the loss of irreplaceable habitat from a number of sites of ancient woodland contrary to Paragraph 175c of the NPPF.

On balance we recognise that this is an important infrastructure project that will help to provide reliable water supplies whilst also creating new green leisure facilities for local communities, a new wetland area and will ease pressure on the SDNP as well as providing some relief of stress on the Rivers Itchen and Test which could be considered assets more unique to Hampshire than this area of ancient woodland.

Accordingly we support this project as a local solution to water shortage subject to the concerns outlined below over the loss of ancient woodland, we would want the Local Planning authorities to confirm that current proposals will be reviewed to ensure that with the exception of the areas of ancient woodland which are within the proposed flooded areas all possible measures are taken by the applicant to avoid further damage to other areas of ancient woodland with the associated loss of biodiversity.

#### Ancient Woodland

The planned flooded area removes much of the ancient woodland referred to by objectors. CPRE Hampshire very much regrets the loss and asks the local authorities considering the application to ask the applicant to review all planned activities which would lead to further damage.

We consider it essential that the remaining ancient woodland is subjected to the absolute minimum of disturbance during construction and into the future and is managed effectively and sensitively by skilled personnel in sufficient number.

We also note that some of the ancient woodland is to be replaced by wetland. This will be a useful addition, but it should be included in the site as well as, not instead of, the ancient woodland. Reviewing water levels could achieve this in the North East of the proposed reservoir. This too will need skilled management in perpetuity.

#### Visitor centre and access

Along with Natural England and the Forestry Commission we seek further clarification on the alternative routes and design considerations available for the access routes to the visitor centre so that it can be demonstrated that the loss of irreplaceable habitats has been kept to an absolute minimum.

#### Cycling for the UK (summarised)

Minor changes suggested to maximise the visitor number and make the site as successful as possible for cyclists.

Considers the scheme doesn't fully comply with HBC Local Plan Policy DM11. Clarification needed on whether proposed track between Castle Road and Bell's Copse is intended for cycle use (as outline masterplan shows it for pedestrian use

only)

**Officer Comment:** The existing bridleway is boggy and not suitable for cyclists. The proposal allows for a multiuser surface along the bridleway enhancing connectivity in the area. The temporary bridleway will be restored to a permissive path allowing Forestry England to occasionally use these paths for operational reasons.

Once the permissive path has been restored this will connect into the permanent bridleway allowing a circular route for all users of the reservoir. It is the intention that this permissive path will be utilised by cyclists. Some pathway improvements to existing paths will be determined during the detailed design stage.

### **Havant Climate Alliance and Havant Friends of the Earth (summarised)**

We accept that the Reservoir will be needed in future, although the loss of ancient woodland, defined by Natural England as “irreplaceable habitat”, is a high price to pay. We think it will be justified if it enables water extraction from the Rivers Itchen and Test to stop, as these rare chalk streams, with their unique habitat, are at risk.

A number of concerns have been raised; these are:

#### **Compensation for ancient woodland**

It is appreciated that the siting and design of the Reservoir have been adjusted to reduce the amount of ancient woodland which will have to be removed. However, 14 hectares will still have to go. It is important that replacement native species trees and shrubs are planted over at least the same size area due to be lost. The opportunity should also be taken to plant additional, much larger areas with trees and shrubs, as a contribution to carbon reduction.

#### **Flora, fauna and habitats**

Very detailed and comprehensive surveys of wildlife and ecological assessments have been carried out of the area around and within the prospective reservoir site and pipeline route. There is also very detailed advice about further survey work needed, how habitats, trees, flora and fauna can be protected from harm and enhanced, and how best to mitigate or compensate for loss, during the construction of the reservoir and pipeline. If these proposals can be delivered in full, the site may achieve the ultimate aim for a net gain in bio-diversity.

To be successful, this will require a lot of work, especially during the construction phase. It is vital that adequate numbers of people are employed to protect remaining habitats and in the creation of new ones. Portsmouth Water plan to employ an Ecological Clerk of Works to oversee delivery of the Biodiversity Mitigation and Compensation Strategy.

#### **Green Jobs**

Because of the requirements detailed above, there should be scope to create some green jobs, employing local people to undertake work associated with the creation and maintenance of habitats around the reservoir site and along the Pipeline route.

#### **Visitor Centre**

We are concerned about the positioning of the Visitor Centre so close to the Wetland Nature Reserve. While one wants people to have a positive experience, this is outweighed by the importance of minimising disturbance to birds and wildlife.

#### **Cycle and pedestrian access**

This can be an opportunity to increase cycling and walking, to benefit health and wellbeing. We should be maximising access by bike and on foot, so that visiting the

Reservoir will not to be another car journey generator.

**Officer Comment:** With regard to the location of the visitor centre, the applicant has outlined that this has been given detailed consideration. This has been done through a number of pathways. Portsmouth Water hosted the annual UK water company conservation, access and recreation conference in November 2019, with attendance from key members of UK water companies. This allowed Portsmouth Water to gain insights and advice from other water companies who also have visitor centres and recreational areas on their sites. The outcome of the workshop was a preferred waterside location for the visitor. This was supported by the Havant Thicket Stakeholder Workshop in February 2020.

In addition, having the visitor centre closer to the water's edge means the car park does not need to encroach on Bell's Copse ancient woodland. Detailed design can ensure the location doesn't result in disturbance to birds on the water or in the wetland. The proposal will need to be sensitively designed, the Council's ecologist and Natural England do not object the location, and subject to appropriate management to be considered at Reserved Matters stage, are of the view that an appropriate ecological balance can be achieved.

#### **Woodland Trust – Objects (summarised)**

The Trust strongly objects to the applications in question as they will result in the loss, damage and deterioration of numerous areas of ancient woodland and also to a number of veteran trees, many of which appear to be located within the ancient woodland areas to be lost. The ancient woodland areas to be lost are:

- The Avenue;
- Middle Clearing;
- Round Wood;
- Unnamed Plantation Ancient Woodland Site (PAWS), part of Havant Thicket woodland complex.

Ancient woodland is defined as an irreplaceable natural resource that has remained constantly wooded since at least 1600AD. The length at which ancient woodland takes to develop and evolve (centuries, even millennia), coupled with the vital links it creates between plants, animals and soils accentuate its irreplaceable status. The varied and unique habitats ancient woodland sites provide for many of the UK's most important and threatened fauna and flora species cannot be re-created and cannot afford to be lost.

Ancient and veteran trees are a vital and treasured part of the UK's natural and cultural landscape, representing a resource of great international significance. They harbour a unique array of wildlife, such as saproxylic invertebrates, bats and certain species of birds, and echo the lives of past generations of people in ways that no other part of our natural world is able. Their ecological, cultural and historical value means that such trees are similarly recognised as irreplaceable habitats.

Both ancient woodland and veteran trees are afforded protection through the National Planning Policy Framework (NPPF), and through recommendations from Natural England and the Forestry Commission in their standing advice for protection of such habitats.

Paragraph 175 of the NPPF states: "When determining planning applications, local planning authorities should apply the following principles: c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional



reasons and a suitable compensation strategy exists;”

Exceptional reasons are defined in Footnote 58 as follows: “For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.”

We do not consider that the proposals for the reservoir and associated pipeline constitute a wholly exceptional reason and we believe that the applicant must do more to consider alternative locations for such a development. With the development due to result in up to 13.67 hectares of ancient woodland loss and 17 veteran trees, we believe that the applications in question are unacceptable and must not be afforded planning permission. This loss of irreplaceable habitat is highly significant for a single proposal as it would likely result in losses to local biodiversity, particularly those that rely on ancient woods and veteran trees for their habitat, including hazel dormouse, and various species of bats and birds. This could also set a harmful precedent of development resulting in unacceptable losses of irreplaceable habitat and every possible measure should be considered to avoid such harm.

#### **Individual comments:**

#### **Summary of issues raised by objection letters (summarised):**

##### **Principle of development**

- This development is not required or justified, and would not benefit local people, as the proposal is to supply water to other parts notably Southampton. The development should be in this area, and not be to the detriment of the local environment.
- Do not consider that other alternatives have been adequately considered and discounted appropriately
- The proposal does not include any water sports provision, which is a missed opportunity for the local community.
- OFWAT have stated that the reservoir is not needed to supply Portsmouth Water customers but only those of Southern Water.

**Officer comment:** As outlined in the report the application would provide a stable water supply for both customers of both Portsmouth Water and Southern Water. As outlined in both companies Water Resources Management Plans, the reservoir storage capacity will enable Portsmouth Water, as part of the bulk water supply agreement to Southern Water, to hand over the current abstraction from the River Itchen (which is in Southern Waters supply area). The bulk supply transfer from Portsmouth Water to Southern Water will therefore comprises a range of sources, including the stored water from the reservoir, which would consider demand and supply across the distribution network.

- Lack of leisure activities in the proposal and have been misled by Portsmouth Water.

**Officer comment:** This matter has been considered in detail in section (iv) Leisure and recreation provision, paragraphs 7.153 (page 79 of report – 7.175.

##### **Impact on landscape and ecology– including loss of Ancient Woodland**

- The proposal would have a significant adverse impact on the character and appearance of the area
- The loss of Ancient Woodland is completely unacceptable, the loss of such

fine examples of woodland will be to the detriment of the extensive ecology, including protected species. Ancient woodland is irreplaceable, and the proposed mitigation is not sufficient and does outweigh the harm caused by its loss.

- The development would remove the current tranquil nature of the site, which through the Visitor Centre would encourage outside visitors to come to the site and ruin the tranquillity of the site.
- The location of the proposed visitor centre is not acceptable, as given its location on the edge of the reservoir, will through public access cause significant disturbance to wildlife.
- The site is full of protected species, for which this proposal would destroy this habitat.

#### Highway and amenity

- The development would have a significant adverse impact on the local highway network, the northern and southern access options are unacceptable as they are unsafe
- The establishment of the southern access into Leigh Park/Warren Park, will enable a rat-run to be established for those seeking to avoid congestion on the A3(M) junctions and the ASDA roundabout
- Concerns that traffic through Leigh Park/Warren Park, would be determinantal to highway safety and the wider traffic calmed amenity of the area
- The new access would encourage on street parking, if the proposed car park is subject to parking charges.
- The construction of the development, and the associated timelines involved, would have result in disturbance to residential properties

#### Drainage and flooding issues

- Concerns about the stability and subsequent flooding threat to those downstream in Leigh Park and wider Havant, in case of reservoir failure, and how emergency procedures will be managed and maintained. As a result of the reservoir, this will increase house insurance for residents, which is unacceptable. **Officer comment:** Comments in relation to the increase of home insurance, are not a material planning consideration.
- The development must take into account climate change, and it's wider impact on the local community

#### Use of the site for anti-social behaviour/safety

- The site is currently used for anti-social behaviour, including but not limited to – use of motorcycles illegally, fly-tipping as well as other issues on the site. The proposal for the reservoir will make this anti-social behaviour much worse by establishing more formalised roads this will encourage more inappropriate behaviour
- Concerned about the risk of drowning, from the large body of water

#### **Summary of issues raised by support letters (summarised):**

- Fully support the proposal for a reservoir on the Portsmouth Water land at Havant Thicket. I would encourage the LPA to support the application as a sustainable way of addressing water resource shortfalls in the area.
- The development will provide regeneration, including educational opportunities, for local residents, which will provide enhanced leisure and recreational facilities.
- Whilst acknowledging the loss of ancient woodland, which is unfortunate,

- that the development proposes significant mitigation to address this issue.
- Significant community consultation has taken place, especially through stakeholder groups, we look forward to working with Portsmouth Water as the scheme progresses
- The development will provide enhanced public access, through the proposed cycleways, and diverted Bridleway around the site
- The proposal will also provide areas of play equipment, which is important for families in the area.
- The development will provide access to the site for those with disabilities, as access to the site is limited/not possible at this time.
- The site is a fantastic opportunities for bird watchers with the new wetland area, and associated bird hide watching areas.
- The talk of ancient woodland is a bit of a farse. the main woodland would be the telegraph woodland planted in the 1950's. This is not good or natural woodland. it is dark with nothing growing below the canopy.

## 7 **Planning Considerations**

### **Appropriate Assessment**

- 7.1 The Councils have conducted a joint Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development, for both planning applications, under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (hereafter referred to as the Habitats Regulations). The application is accompanied by a suite of ecological reports comprising the following:
- Habitats Regulations Assessment (Atkins/Portsmouth Water, September 2020)
  - Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021).
  - Havant Thicket Reservoir Project – Environmental Statement Volume 4 – Appendix A15, Water Framework Directive Assessment.
  - Outline Biodiversity Mitigation and Enhancement Strategy (ECOSA, September 2020).
  - Technical Note – Article 4.7 WFD Short-listing methodology (Atkins, March 2021).
  - Letter to Portsmouth Water - Havant Thicket Winter Storage Reservoir – Water Framework Directive (WFD) Article 4.7 (Environment Agency, 18 February 2021).
- 7.2 The Council's assessment as competent Authority under the Habitats Regulations is included in the case file. The screening under Regulation 63(1)(a) considered whether there was likely to be a significant effect on several European Sites due to habitat loss and water quality impacts. The planning application was then subject to Appropriate Assessment under Regulation 63.
- 7.3 Chapter 9 of the submitted Habitats Regulation Assessment includes details of mitigating measures designed to address the potential impacts identified during the screening assessment. These measures are summarised below:
- Habitat loss  
SPA/Ramsar supporting habitat.
- 7.4 There is potential for construction-related noise to result in functional habitat loss at two Solent Wader & Brent Goose Strategy (SWBGS) sites in proximity to the Bedhampton & Havant Springs pumping station. These sites are within c.300m of the pumping station.

- 7.5 Proposed construction at the pumping station has potential to result in novel noise levels of c.87 decibels (dB) at a distance of 10m from the noise source. Given the distance between the noise source, and the presence of dense residential and commercial development and road and rail infrastructure between the application site and SWBGS sites, it is considered highly unlikely that construction noise disturbance would occur.

Singleton & Cocking Tunnels Special Area of Conservation (SAC) supporting habitat.

- 7.6 The reservoir proposal would result in the loss of substantial areas of suitable Bechstein's and Western barbastelle bat habitat. This can be summarised as:

- c.13 Ha of semi-natural woodland to be removed.
- c.18 mature veteran trees to be removed.
- c. 29 scattered broadleaved trees to be removed.
- At least four Bechstein's bat tree day roosts and one night roost removed.
- c.139 Ha of grassland removed.
- Impacts to c.3.7km of ephemeral stream habitat.

- 7.7 The proposals would therefore result in the permanent loss of Bechstein's bat roosting sites and extensive areas of habitat used for foraging, commuting and other behaviours. These impacts are considered to affect supporting habitat for the Singleton & Cocking Tunnels SAC.

Proposed mitigation, compensation, and enhancement

- 7.8 A number of measures are proposed for mitigating the identified impacts to bat habitat. These are summarised below:

- Obtain European Protected Species mitigation licence from Natural England.
- Timing of tree removal works to avoid periods of highest sensitivity.
- Supervised tree removal by licensed ecologist.
- Protection of retained habitat during construction.
- Updating bat surveys during 2021 in advance of any works.

- 7.9 The mitigation measures listed above are considered acceptable and would ensure that all activities are carried out under Natural England licence.

- 7.10 In order to compensate for the extensive loss of bat habitat and broad package of on-site and off-site habitat enhancement and creation measures are proposed. These are summarised as follows:

- On-site woodland enhancements within Havant Thicket (Forestry England (FE) owned),
- Bell's Copse (FE owned) and Staunton Country Park (Hampshire County Council owned).
- Off-site woodland and grassland enhancements within land north of Havant Thicket (East Hampshire District Council owned), Southleigh Forest (Portsmouth Water owned) and the Stansted Estate.
- Enhancements to watercourses in proximity to the proposed pipeline route.
- Capital Grants Scheme funded by PW to deliver off-site ecological enhancement projects, prioritising local initiatives to restore, create or enhance habitat connectivity in accordance with local planning policy priorities.

- 7.11 Between them these on-site and off-site measures aim to provide:

- New woodland linkages at Gipsies Plain and Deerslaughter Plain.
- Creation of 60 Ha of pasture woodland and 20 Ha of neutral grassland.

- 72 Ha of woodland enhancement within Southleigh Forest.
- Roosting habitat for Bechstein's bats, with measures to be agreed.
- 5.5km of watercourse enhancement.
- £40,000 per annum for 30 years from 2029 towards Capital Grants Scheme.

7.12 Whilst acknowledging the extensive impacts arising from the proposals, it is considered that the above mitigation, compensation and enhancement measures provide for a substantial package of works that would provide a long-term benefit at the landscape scale for bat species associated with the Singleton & Cocking Tunnels SAC. Targeted woodland and grassland creation and enhancement works would improve the condition of habitat for bat species across a large area of the landscape. Combined with the Capital Grants Scheme focussing on enhancing the local landscape in terms of habitat connectivity.

#### Delivery mechanism

7.13 Details of the delivery mechanism for the overall mitigation package have been provided through the submission of an Implementation Plan (Atkins, April 2021). This provides details of:

- Memorandum of Understanding signed between Portsmouth Water, Forestry England and Hampshire County Council.
- Outline Biodiversity and Compensation Strategy submitted with current application to form basis for future submissions.
- Detailed Biodiversity Mitigation and Compensation Strategy submitted for each phase of works and to be agreed by the LPA and other key consultees.
- Ecological Mitigation and Management Plan for all pipeline works, submitted as part of detailed design and subject to agreement from key consultees.
- Full details of Capital Grants Scheme to be provided alongside detailed submissions and agreed by key consultees.
- All agreed measures to be subject to Section 106 agreement – ensuring that measures are enforceable and that monitoring systems (to agreed indicators) are included.

7.14 The Implementation Plan includes four Action Plans for the main elements of the overall mitigation package: Woodland Creation, Southleigh Forest, Ephemeral Streams, and Capital Grants Scheme. The Action Plans contain further details of the proposed location, baseline conditions, roles and responsibilities, site planning/preparation, delivery, and monitoring.

7.15 It is the view of Havant Borough Council and East Hampshire District Council that the submitted Implementation Plan provides for an appropriate mechanism for the delivery of an overall package of ecological mitigation, compensation and enhancement measures. The Implementation Plan and its four Action Plans provide a sufficient level of detail appropriate to the hybrid status of the applications.

7.16 It is acknowledged that further details of off-site compensatory measures would be provided at agreed stages. This is a logical approach and recognises the complex nature of the proposed development and the need for further investigations on the precise location and nature of mitigation.

#### Summary

7.17 It is concluded that the identified impacts from habitat loss on the Singleton & Cocking Tunnels SAC can be effectively compensated through the comprehensive package of mitigation, compensation and enhancement measures as detailed within the Outline Biodiversity and Compensation Strategy and Implementation Plan. These outline

measures would form the basis of a detailed Section 106 agreement, enabling the Local Planning Authorities to have reassurance that all measures would be delivered, and compliance monitored.

#### Local Plan Policy

- 7.18 The proposed developments are addressed through specific local plan policy.

Policy KP9 of the Submission Havant Borough Local Plan and Policy CP26 of East Hampshire District Local Plan: Joint Core Strategy (2014) details the conditions of any planning permission for the Havant Thicket reservoir. Planning permission would be granted where:

- j. Changes to the natural and rural character are mitigated in particular by:
  - i. Limiting impacts on biodiversity including the creation of additional habitats to ensure biodiversity net gain is secured;
  - ii. Avoiding, mitigating and then compensating for the loss of, and effects on, Sites of Importance for Nature Conservation (SINCs);
  - iii. Ensuring that the pipeline has no significant impact on Great Copse, protecting it during construction;
  - iv. Integrating the reservoir into the existing landscape of the area;
  - v. Minimising the loss of ancient woodland and trees and compensating for the loss of irreplaceable habitat within a costed management strategy;
  - vi. A comprehensive mitigation strategy is secured for impacts to protected and notable species, including appropriate mitigation measures for Bechstein's bats in line with Policy E15.
- k. The potential impacts on the Langstone and Chichester Harbours as well as the Hermitage Stream have been assessed under the appropriate regulations and any necessary avoidance and mitigation measures included in the scheme design;
- l. Opportunities for biodiversity enhancements associated with the reservoir and the Hermitage Stream are realised wherever possible;

- 7.19 East Hampshire District Council Policies in the East Hampshire Joint Core Strategy (2014) Policies CP20 (Landscape), CP21 (Biodiversity) and CP28 (Green Infrastructure) and the Havant Borough Local Plan policies E14 The Local Ecological Network, E15 Protected Species, EX1 Water Quality impact on the Solent European Sites, and E17 Solent Wader and Brent Goose feeding and roosting sites also provide details of the expectations for planning submissions. These policies provide a policy framework that ensures that planning permission would only be granted subject to specific conditions being met.

#### Water Quality

- 7.20 There is potential for proposed development to result in water quality impacts affecting the following European sites:
- Chichester & Langstone Harbours Special Protection Area (SPA).
  - Chichester & Langstone Harbours Ramsar site.
  - Solent & Dorset Coasts SPA.
  - Solent Maritime Special Area of Conservation (SAC).
- 7.21 The proposed development would result in the loss and modification of watercourses that are hydrologically linked to Langstone Harbour and the above European sites.

#### Proposed mitigation, compensation, and enhancement

7.22 A number of measures are proposed for mitigating the identified impacts to these European sites. These are summarised below:

- Environment Agency (EA) consents would be obtained for the discharge of water from the development site. This would control the discharge of silt within surface or accumulated water during construction.
  - Use of standard construction methods to control silt e.g. CIRIA guidelines.
  - Construction Environment Management Plan (CEMP) would be produced.
  - Drainage Management Plan (DMP) would be produced.
  - EA licences for the outflow of water from the reservoir in order to maintain flows in local watercourses.
- Filtration (of silt, nitrates and phosphorous) via the created wetland habitat at the northern edge of the proposed reservoir.
  - Compressed air mixing of water within reservoir control house to prevent phosphorous concentrations within reservoir.
  - Decrease in nitrate loading to linked watercourses due to use of water from Bedhampton & Havant Springs.

7.23 These measures would ensure that surface and accumulated water leaving the site during construction and operation would be subject to EA permit and that no such activities could occur until such permits are in place. The use of standard pollution prevention guidance, the CEMP and the DMP would be secured through planning condition and subject to enforcement as necessary.

7.24 In addition, the applicant (Portsmouth Water) has undertaken an assessment in accordance with Article 4.7 of the Water Framework Directive (WFD). The Environment Agency (EA) has provided detailed response, following consultation, to the submitted Article 4.7 WFD assessment. In summary, the WFD assessment includes details of:

- Long list of potential watercourse mitigation and compensation measures.
- Agreed short list of watercourse mitigation and compensation measures.
- Three mitigation and compensation packages.
- Confirmation that Package 2 was chosen as the most suitable option, delivering 5.5km of mitigation and compensation to local watercourses.

7.25 The EA have subsequently provided a detailed commentary on the Article 4.7 WFD assessment (EA, letter dated 30 March 2021). In summary, the EA state that they are content with Package 2 and recommend that this is secured by legal agreement. The mechanism for this would be via Section 106 agreement.

7.26 Whilst not linked to HRA, the parallel WFD assessment and subsequent EA comments provide an additional level of reassurance that there is an agreed package of measures that would provide appropriate mitigation, compensation and enhancement for ephemeral watercourses. The measures would ensure that the works would not result in degradation of the quality of freshwater inputs into Langstone Harbour.

#### **Appropriate Assessment conclusion**

7.27 The Appropriate Assessment concluded that the avoidance and mitigation packages proposed are sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3). The applicant has indicated a willingness to enter into a legal agreement and appropriate

conditions to secure the mitigation packages.

7.28 In other respects, and 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, including need and proposed location
- (ii) Impact upon the character and appearance of the landscape including on Ancient Woodland, Conservation Area and Registered Park and Gardens
- (iii) Impact of the development on ecology
- (iv) Leisure and recreation provision
- (v) Impact of the development on the local and strategic highway network
- (vi) Impact on flood risk, hydrology and hydro-geology
- (vii) Impact on residential amenity (noise and vibration, air quality)
- (viii) Other Environmental Impacts, Geology, Soils, Contamination and minerals
- (ix) Impact on climate change and sustainable design
- (x) Contribution requirements and legal agreement

7.29 It is considered that each element of the application and the environmental effects of the project as a whole (including cumulatively with other projects) has been appropriately identified and assessed, and that the proposed measures to mitigate the effects are considered to be appropriate and acceptable. In addition to the technical assessment of the proposed development on a topic-by-topic basis, consideration has also been given the scheme overall. The main issues are discussed individually below.

**(i) Principle of development including need and proposed location**

7.30 The reservoir and pipeline route are safeguarded in the adopted local plans through HBC Policy CS18, CS19 and AL6 and EHDC Policy CP26, and in the emerging Local Plans through HBC Policy KP9 and EHDC draft Policy S31. Policy CS18 - Strategic Site Delivery identifies Havant Thicket Reservoir as a Strategic Site. The Scheme would ensure water supply in South Hampshire and is therefore embedded in local policy as strategic infrastructure required for the plan period. As such, the principle of a new reservoir at Havant Thicket and a pipeline route from the reservoir to Bedhampton Springs has been established and accepted, subject to certain requirements, which are detailed in this report.

7.31 The NPPF at paragraph 20 requires local authorities to make sufficient provision for water supply infrastructure and states that water supply and quality is a cross-boundary issue where there is a duty to cooperate. The draft National Policy Statement for Water Resources Infrastructure (2018) outline the immediate need to increase resilience in the water sector to address pressure on water supplies. Pressure is increasing due to population growth, the impacts of climate change and the need to maintain sufficient water in watercourses, lakes and wetlands to protect the environment. To achieve this vision, a twin track approach to securing resilient supplies is required which includes both demand management, for example leakage reduction and increased water efficiency measures and new water supplies, such as reservoirs and water transfers.

7.32 All water companies are required to prepare Water Resources Management Plans (WRMPs) which show how they would secure resilient water supplies for their customers over a period of 25 years. Resilience is the ability to cope with and recover from extreme weather, such as droughts and floods, with as little impact as possible on customers, the environment and wildlife. In developing WRMPs, water companies consider how much water is available today, how much is needed to supply in the future and then develop options to make up any difference in supply. These plans are updated every five years.



- 7.33 This application proposes the construction of a major new reservoir to increase capacity and meet a forecast water supply deficit in the Hampshire area served by the neighbouring water company Southern Water. In addition, Portsmouth Water have outlined that they would utilise supplies from the reservoir, to have a secure water supply, particularly in the peak summer period. Both Portsmouth Water and Southern Water have identified that a combination of increased housing and population growth in the area, climate change and other factors will generate a need for additional capacity to meet growing demand. Options to meet this requirement, including water management, are set out in both companies Water Resources Management Plan (WRMP).
- 7.34 Portsmouth Water and Southern Water are part of the Water Resources in the South East (WRSE) Group, along with four other water companies (Affinity Water, South East Water, SES Water, and Thames Water), the Environment Agency, Ofwat, Defra, the Consumer Council for Water and Natural England. Together this Group has developed a joined-up water strategy for the whole of the South East. The aim of WRSE Group is to identify how best to share the water resources at a regional level. It looks at opportunities of working with neighbouring regions of the UK and water companies to explore inter-regional water transfers. It focuses on exploring opportunities across the region for existing and new water resources to be shared in the most efficient and effective way, to provide reliable, sustainable supplies at best value to customers while also protecting the environment.
- 7.35 The reservoir was included in WRSE's most recent regional strategy and Portsmouth Water and Southern Water's 25-year and 50-year Water Resources Management Plans, which gained approval from the Secretary of State for the Environment in 2019. Its modelling work for the region in 2017-18 identified the development of Havant Thicket reservoir as the preferred strategic option to help meet future demand. It was then included in both water companies' five-year investment plans for 2020-25, approved by Ofwat in late 2019. Portsmouth Water already provides up to 30 million litres of water every day (Ml/d) to Southern Water. By 2029, this would double to 60 Ml/d - through an additional 9 Ml/d from existing sources and up to at least 21 Ml/d enabled by the reservoir, in extreme 1:200 year drought conditions.

#### Water resource deficits

- 7.36 The majority of the South East, apart from the Portsmouth Water area, is classed as 'seriously water-stressed' by the Environment Agency. On an average day, Portsmouth Water supplies 174 million litres of water, enough to fill 70 Olympic size swimming pools, for approximately 726,000 people, although in the summer supply is increased due to the many tourists who visit the coast, cities and the South Downs National Park. By 2045 it is expected to supply a similar amount of water but to more people, 833,000 people in 382,000 homes and businesses due to the predicted growth in population.
- 7.37 Southern Water supplies water to an area that is officially identified as an area of significant population and economic growth. Forecasts outlined in their WRMP, indicate that population within the Southern Water supply area is expected to grow to over 3 million people by 2045 - representing a 22% increase and a 27% increase in new water supply connections. Southern Water identifies strategies to balance the demand for water with the supply of water over the period of 2020 to 2070.
- 7.38 Southern Water faces significant water resources deficits in the west of its region after limits were imposed by the Environment Agency (EA) on the amount of water it can take from environmentally sensitive rivers in Hampshire - namely the River Itchen,

designated as a Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) and the River Test (SSSI). Southern Water has an agreement under Section 20 of the Water Resources Act 1991 that requires them to use all best endeavours to remove this forecast deficit.

- 7.39 Portsmouth Water benefits from having a modest seasonal water resource surplus and has been working collaboratively with Southern Water to increase water transfers across the south east catchment areas as part of the WRSE Group. In addition, Portsmouth Water have outlined that they would utilise supplies from the reservoir, to have a secure water supply, particularly in the peak summer period. Portsmouth Water has proposals to adopt supply-side and demand-side solutions to increase the amount of surplus water that it can provide to Southern Water, including proposals to build the reservoir to generate at least an additional 21Ml/d of available water to be transferred to Southern Water. Overall, Portsmouth Water intends to increase its water transfers to 60Ml/d which would make a significant contribution to Southern Water meeting the water needs for its region in the future. Additional water made available by the Scheme would form at least 14% of the resources required to meet Southern Waters forecast deficit and help to conserve and enhance the biodiversity of the protected rivers.

*Proposed site selection and alternatives*

- 7.40 The Havant Thicket site has been identified as the preferred location for a new reservoir within the Portsmouth Water supply area following numerous studies undertaken over the past 50 years. Detailed investigations were commissioned by the Southern Water Authority in the 1960's and 1970's to identify potential reservoir sites. At the time, the criteria for identifying sites focused predominantly around engineering concerns such as suitable geological conditions including ground investigations at potentially feasible sites. It is considered that these conditions would not have materially changed. In addition to this, the region was less developed and environmental concerns would have played a less prominent role and therefore the site identification process would have been broader than if such an investigation was commissioned today.
- 7.41 A comprehensive assessment of the alternative sites considered was undertaken by Portsmouth Water (Havant Thicket Reservoir, Site Alternatives Assessment, April 2020) to summarise the site selection work that had been undertaken and summarise the development scenarios considered for the preferred Havant Thicket site (ES, Volume 4, Appendix 4.1).

The assessment methodology utilised a three-stage appraisal process in order to identify the optimal location and design of a reservoir within the Portsmouth Water area:

- Stage one identified all potential reservoir sites and assessed these sites against pass/fail criteria to identify which sites are feasible locations for a reservoir
  - Stage two assessed these feasible sites against more detailed criteria in order to identify the preferred location for a reservoir
  - Stage three assessed potential alternative designs for a reservoir at the preferred location in order to identify the optimal design for the reservoir.
- 7.42 Seventy two potential sites were assessed across the Portsmouth Water and south Hampshire area in stage one. Sixty seven of the 72 sites were rejected at this stage, primarily because the proposed source of abstraction was protected under an Abstraction Licensing Strategy (2013) under the Water Framework Directive (formerly the Catchment Abstraction Management Strategy (CAMS)) and/or Habitat Directive which did not allow for additional abstraction beyond that currently

undertaken. Only sites that can be supplied by the Havant and Bedhampton Springs were feasible. In other cases, previously identified sites had been developed or designated as a protection area and therefore not available.

7.43 The five sites that were progressed to Stage 2 were:

- Site 57: Lumley Farm
- Site 58: Havant Thicket
- Site 59: Southleigh Forest
- Site 60: Southleigh Farm
- Site 61: Loveders Farm.

7.44 The sites were assessed against a variety of criteria including: potential reservoir capacity for water; land use and site allocations; impact on environmental assets including biodiversity and ancient woodland; archaeological and historic environment; recreational impact and benefits; construction and operational criterion, included impact of construction traffic, length required for the discharge pipeline and discharge measures. There were no sites that had no significant environmental and social impacts and the process was to select the site that had the least impact overall, whilst also providing the most potential positive benefits to all stakeholders and the environment. The impacts of developing the preferred site should also be balanced against the do-nothing scenario where if nothing is done water supply demand in the South East would not be met.

7.45 The minimum required storage capacity for a reservoir is 8,700MI, to support the planned 21MI/d drought yield in 1:200 bulk supply transfer to Southern Water in 2029. Out of the five sites assessed, Havant Thicket is the largest site (160 ha) with the largest potential reservoir capacity of c9,000 MI. Due to the size and topography (bowl shape) of the site, it is possible to construct the reservoir without the need for steep embankments on all sides. Only one large embankment is needed to contain the required volume resulting in limited visual impact on the surrounding area. The scheme would result in the loss of 4 blocks of ancient woodland (approximately 13ha), also designated as Sites of Nature Conservation Importance (SINC), one of which is within the boundary of Leigh Park (Staunton Country Park), Grade II\* listed in the Register of Parks and Gardens. A small area of the scheme would also be within a conservation area, for which the impact is considered in further detail within this report.

#### Lumley Farm

7.46 Lumley Farm (Site 57) is a 64ha site which is generally level. To create a reservoir (7,800 MI capacity) a fully bunded reservoir with steep embankments would be required due to the flat topography. This would result in significant visual impact on the surrounding areas. Whilst the site is not visible from the A27 to the north - the railway line and residential housing to the south, as well as Bourne Community College to the east, would have clear view of the site.

#### Southleigh Forest

7.47 Southleigh Forest (Site 59) is a 60ha site which is predominantly covered in woodland, with 87% (52 ha) classified as ancient woodland. It is also partly (a third) within South Downs National Park and around two thirds of the site is designated as a SINC. The smaller available area at this site means a fully bunded reservoir with steep embankments would be required resulting in undesirable views from the South Downs National Park and a national trail, which would also have to be re-routed. The location and need for bunding also limits access and opportunities for recreation and biodiversity enhancement. Even with steep embankments the maximum potential capacity would only be 2,800MI. In addition, Site 59 has a large variation in

topographical levels with part of the site residing on a hill which is likely to require the removal of significant excess material which would increase construction traffic.

#### Southleigh Farm

- 7.48 Southleigh Farm (Site 60) has 60ha area and 8,100 MI capacity does not have the space for the minimum required volume of water available to support the need in the wider region. To create a reservoir to support 8,100 MI capacity would require steep and armoured embankments which would have significant visual impact on residential housing to the east and west of site. The constrained size of the site, restricted by the A27 and a railway line to the south, along with the need for steep embankments would also significantly reduce the opportunity to provide recreational activities or biodiversity enhancements.

- 7.49 In addition, Southleigh Farm has been allocated for the development of 2,100 dwellings as part of HBC's submitted Local Plan (Policy KP5). The submitted local plan identifies Southleigh Farm as the most significant site allocated in the submitted Local Plan. It states that in terms of delivery, HBC *"is committed to the delivery of a comprehensive sustainable development on this key site... The Council will use all powers available to achieve a comprehensive development of this strategic site, including Compulsory Purchase if necessary"*. Therefore, this site is not available for the development of a reservoir.

#### Loveders Farm

- 7.50 Loveders Farm (Site 61) has a 65ha area and a 7,500 MI capacity, which would not be sufficient to support the need in the wider region. The smaller area available and flat topography means the steep embankments required would result in undesirable views from surrounding areas. This is a working farm with Grade II listed buildings which would be impacted visually or may need to be demolished. There is a small area of ancient woodland to the north.
- 7.51 Another development requirement considered within the assessment was the mandatory need for emergency discharge. At Havant Thicket (Site 58), emergency discharge water can be directed into the Riders Lane and Hermitage stream, which then flows naturally into Langstone Harbour area, replicating a storm event without the risk of flooding dwellings. In the event of an embankment breach, the natural drainage would be towards the existing streams reducing the risk.
- 7.52 Water quality monitoring has indicated that there would be substantial reductions in nutrients loads entering Chichester and Langstone Harbour (SAC, SPA, RAMSAR) and overall, there would be a benefit to stream water quality, including moderating peaks in iron and manganese that are currently experienced. There is also the opportunity to provide a regular compensation discharge from the reservoir, which would improve flows and water quality in the Riders Lane Stream and the Hermitage Stream.
- 7.53 The reservoir was included in WRSE's regional strategy and Portsmouth Water and Southern Water's 25-year and 50-year WRMP's, which gained approval from the Secretary of State for the Environment, and Ofwat, in 2019. The Scheme would provide over 35% of water supply need over the next 25 years, and would help Portsmouth Water to free up existing supplies in the west of the catchment area to share with Southern Water's customers in order to meet the region's challenges in the future, in particular relating to abstraction licence changes, predicted population growth and climate change which would all place pressure on meeting future water supply demand. The impacts of the development on designated landscapes are considered in detail in the next section (ii).

- 7.54 In conclusion, on the principle of development, it is considered that there is an overriding public need for the scheme and a lack of suitable alternative sites. The majority of the South East is classed as 'seriously water-stressed' with Portsmouth Water currently sharing supplies with Southern Water in West Sussex and Hampshire of up to 30 million litres of water each day. Southern Water supplies water to an area that is officially identified as an area of significant population and economic growth. Following the restriction imposed by the Environment Agency on abstraction from the internationally designated River Itchen and nationally designated River Test options for making up the subsequent water resources deficit were considered by the WRSE group.

**(ii) Impact upon the character and appearance of the landscape including on Ancient Woodland, Conservation Area and Registered Park and Gardens**

- 7.55 This section considers the design evolution of the scheme, the impact of the development on Ancient Woodland, Conservation Area and Registered Park and Gardens, and finally the impacts on the local and wider landscaping setting, which includes the impact on the setting of the South Downs National Park.
- 7.56 The proposed design process of the reservoir has evolved over time, following feedback from statutory consultees and as part of significant stakeholder engagement with the local community. As part of the assessment process eight conceptual design options for a reservoir at the preferred Havant Thicket site were considered, taking into account the likely significant impact of a reservoir on the landscape, heritage and ecology of the site. The options varied in size and scope from large designs maximising yield, wetland and recreational area to smaller and separated areas that sought to preserve areas of ancient woodland, in particular, the Avenue. The detailed appraisal of these eight design options is provided in the full Site Alternatives Assessment (April 2020) provided as Appendix A4.1 to the ES Volume 4. All the options had the same support facilities such as car parking, access routes and recreational facilities, including a visitor centre.
- 7.57 The retention of the Avenue was a key consideration in the process as it is a feature of the Grade II\* Registered Park and Garden (RPG) and Sir George Staunton Conservation Area; it is also classified as ancient woodland. The Avenue is mature woodland of higher ecological value than the other three plantation woodland blocks present on the site. One of the reasons why the Havant Thicket site was originally identified as a potential reservoir site in the 1960's was because it formed a natural bowl underlain by clay which could be used to construct the embankments reducing the costs and environmental impact of construction as material could be sourced and retained on site. Site investigations concluded that there was insufficient material available on site for a number of the options that were proposed.
- 7.58 One of the key operational considerations included the potential capacity of the reservoir and availability of suitable material to construct the embankment. Selecting smaller reservoir options would adversely affect the options that Southern Water have to reduce abstraction from the internationally designated River Itchen and nationally designated River Test. Furthermore, investigations identified an area of suitable clay which extends below The Avenue woodland. If The Avenue was retained, this would sterilise significant quantities of the clay needed for the construction of the embankments.
- 7.59 Following an appraisal against environmental and operational criteria, two options

were set out in a report sent to stakeholders in 2006. Following feedback from stakeholders, a refinement of the options was undertaken to maximise the storage volume of the reservoir, while minimising the environmental impact, including the visual impact on the historic landscape, as well as impacts on residential amenity. In 2008 Portsmouth Water undertook a comprehensive public consultation exercise, which asked for feedback on a number of aspects of the reservoir design.

- 7.60 A number of refinements were made, following further public feedback which sought to reduce the impacts on the Ancient Woodland, Conservation Area and Registered Park and Gardens, by steepening the proposed southern embankments to reduce the land take, and provide an enhanced buffer zone of 15 metres to the remaining Ancient Woodland, this was so that the embankment was not in the shadow zone of the existing woodland. This would maximise the potential wildlife value of the slope by creating a sunny, well drained environment which gave the best opportunity to create a wildflower meadow and maximise the habitat for use by reptiles. In addition, the evolution of this scheme at this point increased the area of retained wetland, enhancing landscaping and optimising opportunities for recreation and biodiversity enhancement.

*Impact on wider landscape, including the impact on the character and setting of Staunton Country Park and the South Downs National Park*

- 7.61 The NPPF at paragraph 170 seeks to protect and enhance valued landscapes in a manner proportional to their status in the development plan. Landscape is also factored into NPPF policies relating to design where paragraph 127 clause c states that decisions should ensure that developments are “*sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change*”.
- 7.62 The reservoir site and access roads are bound by large areas of woodland to the south (Hammond’s Land Copse), west (Cabbagefield Row and Bells Copse) and north (Havant Thicket) which provides a wooded backdrop for the majority of the area. Further to this, mature vegetation, trees and small wooded blocks exist to the south west, east and south east boundaries, providing a good degree of screening and separation between the Site and the immediate surrounding landscape. However, the site is not set within a wholly isolated rural position but within an area that has some notable human influences (e.g. road network, settlements and power pylons)
- 7.63 The design of the reservoir, its embankments and access roads have been refined through an iterative design process in order to reduce the loss of any key on-site landscape features such as trees and woodland. Retention of these features along with the wider wooded boundaries would help the Scheme integrate into its wider landscape setting, reducing any landscape or visual effects from the outset.
- 7.64 The use of hard built form and associated ancillary clutter have been minimised, with buildings carefully sited and designed to reduce visual impact. This has included embedding the Control House with the southern area of reservoir embankment close to the woodland edge to reduce visibility to a minimum. The Visitor Centre has been positioned in the northwest corner of the Site to prevent any visibility from the north and west. This location is as far as possible away from the Conservation Area to the south and settlement edges to the northeast and southwest. Building design has also been considered using a low-profile structure to further reduce visual effects and the use of natural materials where possible.
- 7.65 Phase 1 of tree planting has been undertaken and includes the planting of 3000 trees within the south-east and south-west corners of the reservoir site so that these trees

would add benefits to the environment as they grow and mature when the project is completed. The scheme also seeks incorporate green infrastructure, as part of the wider landscape framework through providing a range of new and enhanced landscaping features, to include grassland, trees and woodland, to combine with the retained woodland and trees around the site.

- 7.66 During construction of the reservoir there would be significant adverse effects on landscape and visual amenity on views from Sir George Staunton Conservation Area and Leigh Park Registered Park and Garden, from adjacent Public Rights of Way and from residential areas adjacent to the site, including Warren Park, Leigh Park and Durrants. This is due to the removal of landscape features such as the open grassland and wooded features such as the Avenue and the large construction site and scale of earthworks required, and the loss or alteration of existing landscape features in existing views.
- 7.67 Following completion of the development, the landscape framework is incorporated as part of the development of the scheme. The retention of extensive areas of existing trees, tree belts and woodland vegetation contributes to the mature setting of the scheme, integrating it sympathetically into the surrounding landscape and softening views immediately upon completion. The proposed extensive areas of green infrastructure, providing a range of new and enhanced landscape features, to include grassland, trees and woodland would combine with existing landscape features to enhance the character of the scheme. However, at such an early stage, many of the proposed landscape mitigation measures would not be sufficiently established to perform their intended landscape function or would deliver only a part of their intended function.
- 7.68 Gradually the proposed additional green infrastructure, comprising the new open grassland area, wetland and planting would mature to substantially increase the landscape resource across the Site. This would result in the strengthening of boundary vegetation, creation and enhancement of a range of landscape features. Once the sitewide landscaping mitigation measures mature, the initial adverse effects are reduced, with the proposed landscape features reflecting that of the wider landscape character, allowing the scheme to assimilate into its landscape setting.

Impacts on the South Downs National Park

- 7.69 The boundary of the South Downs National Park (SDNP), lies near the site on the northern side of the B2149 Manor Lodge Road, with the closest part of the development to the boundary being the proposed northern access. At this point the character of the area is influenced by the urban fringe and major infrastructure. The landscape has a good level of containment due to the presence of woodland and field hedgerows, providing significant screening between the SDNP and the scheme.
- 7.70 During construction, there would be no alteration to the landscape adjacent to the SDNP boundary. However, works to construct the northern access road to the reservoir site would be visible in a very localised area along B2149 Manor Lodge Road. The proposed junction is heavily screened by the presence of The Holt woodland on the southern boundary, which is within the SDNP. The new access route would also be used for construction traffic during the reservoir construction, so would result in a temporary increase in activity in the area, thus likely to reduce tranquility within the localised area during this period.
- 7.71 Following the completion of the development the new road junction would become a permeant feature on B2149 Manor Lodge Road. The new road junction would be in character with other similar road junctions already present on B2149. The new road

junction and reservoir site are well screened from the SDNP by existing woodland being retained. Once construction is complete the access route would be only used by visitors to the reservoir, while this would result in some new activity at the edge of the SDNP, impact on the tranquility within the immediate area is likely to be negligible, given the existing traffic conditions. As such it is considered that the proposal would conserve the character and setting of the SDNP.

Views/Amenity from Public Rights of Way – Footpaths and Bridleways and Staunton Country Park

- 7.72 A Public Right of Way (bridleway) extends from east to west through the centre of the site. The bridleway runs from Manor Lodge Road in the east to Park Lane in the west linking Rowlands Castle with Cowplain. In addition, there are further access points into the reservoir site from the public highway, which form permissive paths. All of which would be affected as a result of the introduction of the reservoir and associated development. This is because cyclists, riders and walkers currently experience mostly rural and undeveloped views when travelling along these routes.
- 7.73 The existing bridleway would be diverted to the south of the embankment, along the proposed operational maintenance track, a temporary diversion would be required to the north through Forestry England land during construction. This temporary diversion would revert back to a permissive route, following the opening of the permanent diversion. A new bridleway route along Cedar Drive would provide a safe entrance and exit for local horse riders and pedestrians.
- 7.74 There are other PROW and permissive paths which pass through the Staunton Country Park. As with the other PROW, the development is likely to increase the number of users of these routes however the change in experience of users of paths within the Country Park would not be as significant as the PROW (bridleway) diversion. During the construction the changes to users experience of the site would be significant. However once the landscaping framework establishes the impact on these PROW's would soften, with the landscaping, including open grassland, wetland and planting areas establish.

Summary of Landscape Impacts

- 7.75 The introduction of this development onto the site would change the existing landscape character, however, a number of mitigation measures are proposed to assist in integrating the reservoir into the landscape. This includes: positioning of built form in the landscape; retention of significant sections of hedging; retention of woodland areas and the introduction of additional planting; wetland and open spaces. Whilst these are a positive element to the development scheme it is clear that this scale of development, in this location, would permanently and significantly change the character of the area.
- 7.76 In considering matters of landscape impact, a judgement has to be made which balances the significant change to the character and appearance of the area. New landscaping would mitigate the identified impacts. It is acknowledged that the countryside location and settlement gap is highly valued - the site, however, is not set within a wholly isolated rural position but within an area that has some notable human influences (e.g. road network, settlements). On site, a significant amount of the defining landscape features of woodland and hedgerow are to be retained and enhanced. This mitigation seeks to be sympathetic to the landscape and its visual amenity, as such it is considered on balance that the development, with suitable conditions, can be successfully accommodated on this site.
- 7.77 The NPPF advocates a positive and proactive approach to new development,



particularly sustainable development which provides a key piece of infrastructure, which would provide a secure and resilient water supply for the wider south east region. This development provides opportunities for further economic, environmental and social improvements. It is therefore considered that the development would not have such an overriding harmful impact as to be significantly or demonstrably harmful to the character and appearance of the area. The proposal complies with the relevant policies at both local and national level.

#### Impact on Ancient Woodland

- 7.78 Ancient woodland takes hundreds of years to establish and is defined, along with ancient and veteran trees, as an irreplaceable habitat. It is important for its wildlife (which include rare and threatened species), soils, recreational value and cultural, historical and landscape value. It is any area that has been wooded continuously since at least 1600 AD. 'Wooded continuously' does not mean there's been a continuous tree cover across the whole site. Not all trees in the woodland have to be old. Open space, both temporary and permanent, is an important component of ancient woodlands. A woodland in poor condition can be improved with good management. Where a proposal involves the loss of ancient woodland, it should not take account of the existing condition of the ancient woodland when assessing the merits of the development proposal.
- 7.79 The proposed development would lead to the loss of 13.67ha of ancient woodland including 3 blocks of designated ancient semi-natural woodland (The Avenue, Middle Clearing and Round Wood) and part of a plantation on ancient woodland site (Corsican Pine Plantation). It is also noted that 17 veteran trees would be lost from The Avenue. This is a relic of an ancient pasture woodland complex and has good surviving elements. The management history of Middle Clearing and Round Wood is one of significant intervention, of clearances and replanting, plus grazing and fragmentation in an impermeable arable landscape.
- 7.80 In addition to the reservoir itself, the application is also for a visitor centre, car park and access roads. The northern access road is routed along an existing woodland management access track through ancient woodland. Utilising this route as the main access track to the visitor centre and construction route would result in further ancient woodland loss and associated impacts. This is in addition to the loss associated with the footprint of the reservoir. Damage to ancient woodland should always be avoided in the first instance.
- 7.81 The applicant has provided further information, regarding other potential routes for the northern access, through a comprehensive evaluation process based on environmental, engineering and safety criteria, and project drivers. The route from the north has been designed to follow the existing forestry track for the majority of its length. Any loss of trees and woodland habitat has been reduced as far as reasonably practicable in the preliminary design. It comprises a 3.65m single lane carriageway with passing bays to enable two-way traffic. Inclusive of verge, the overall construction width of the northern access road is typically 6.45m, with a widening on a tight bend to 7.45m. This means that only 12 trees, comprising invasive and lower category trees, would be lost along the whole route, with proposed passing places aligned with existing wide areas or where other forestry tracks meet. The layout has been optimised to ensure preservation of the more prominent yew trees. The removal of the non-native Turkey oak trees along the boundary of the B2149 is seen as a benefit by Natural England.
- 7.82 Potential impacts, such as soil compaction, would largely be restricted to construction activities. Changes to air quality from construction traffic and dust and would be lead to

short-term habitat degradation. Ancient woodland soil arising from loss elsewhere would be used to form the road embankment slopes. Further studies would be undertaken to assess the feasibility of further reducing the woodland take by employing a “dig down” construction rather than a “build up” approach. This would remove the need for embankment slopes.

- 7.83 In terms of other options regarding the northern access arrangements, the application is supported by a robust assessment of alternatives. A number of third-party representations have highlighted that option 2A should be selected. Option 2A is located to the north of the proposed access road, where it joins the B2149, and would be outside the designated Ancient Woodland. The site selection process has considered this alternative, but was ruled out for several reasons, which includes restricted visibility from this junction. In addition, this is over third-party land and would bring challenges in the form of a lack of control of route construction and / or operation, as such jeopardises the deliverability of the project. All alternative options, that would reduce harm to the ancient woodland, have been fully explored and for the reasons outlined above, the proposed northern access route is justified and that there are ‘wholly exceptional reasons’ for this additional loss of Ancient Woodland.
- 7.84 The NPPF at paragraph 175 provides guidance to Local Planning Authorities in determining planning applications which have impacts on habitats and biodiversity. Parts (a), (c) and (d) of this paragraph are relevant to this scheme and state that:
- (a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.*
- (c) Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. The footnote to (c) states: For example, infrastructure projects ... where the public benefit would clearly outweigh the loss or deterioration of habitat.*
- (d) Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*
- 7.85 With regards to point (a) and (c), as has been outlined previously, it is considered that there is an overriding public need for the scheme and a lack of suitable alternative sites for a reservoir within the region. The majority of the South East is classed as 'seriously water-stressed' with Portsmouth Water currently sharing supplies with Southern Water in West Sussex and Hampshire of up to 30 million litres of water each day. Southern Water supplies water to an area that is officially identified as an area of significant population and economic growth. Following the restriction imposed by the Environment Agency on abstraction from the internationally designated River Itchen and nationally designated River Test options for making up the subsequent water resources deficit was considered by the WRSE group. The reservoir was included in WRSE's regional strategy and Portsmouth Water and Southern Water's 25-year and 50-year WRMP's, which gained approval from the Secretary of State for the Environment, and Ofwat, in 2019
- 7.86 The scheme would provide over 35% of water supply need over the next 25 years, and would help Portsmouth Water to free up existing supplies in the west of the catchment

area to share with Southern Water's customers in order to meet the region's challenges in the future, in particular relating to abstraction licence changes, predicted population growth, including additional housing and climate change which would all place pressure on meeting future water supply demand.

- 7.87 The NPPF requires that where there is a wholly exceptional case, which has been demonstrated above, that there must be a suitable compensation strategy, which is outlined in paragraphs 3.4 and 3.5. The proposed outline mitigation and compensation strategy outline several strands: the removal of certain protected/notable species from within the construction footprint; the use of habitat manipulation techniques to render habitat less suitable prior to construction; a commitment to long-term habitat management works in surrounding land; the use of artificial nesting and roost boxes; a commitment to substantial new grassland and pasture-woodland habitats off-site; the creation of new habitats within the developed site; enhancements to retained watercourses and waterbodies; and the establishment of a fund for ecological improvements. Whilst the permanent loss of ancient woodland and veteran trees is essentially impossible to mitigate - this mitigation scheme would deliver substantial biodiversity value in the medium-to-long term, albeit in a different form to the habitats that currently exist.
- 7.88 In terms of further on-site mitigation there would be a significant biodiversity gain from the dedicated wetland habitat on such a vast scale at the northern shore of the site. The wetland (containing open water, marsh, wet woodland, exposed muds and wet/damp grassland) would provide a valuable habitat for many species that do not currently occur as well as for many of the species already present. The benefits of the new reservoir and dedicated wetland area would be felt within the nearby designated Solent coastal habitats: it can be expected that bird species associated with the Solent SPAs (especially waders, wildfowl and terns) would utilise the reservoir and wetland. The additional habitat is likely to assist in mitigating the effects of recreational pressure on the Solent intertidal and terrestrial habitats. Furthermore, the proposal, through the reduction of water flowing into the harbours, would result in a reduction in nutrient input to the Solent would also be of overall benefit to these designated areas.
- 7.89 The principles and scope of the necessary biodiversity mitigation and compensation strategy have been agreed by Natural England and the Environment Agency. It is considered that the submitted strategy would help to create, restore and enhance priority habitats at a landscape scale, which when fully realised would contribute significantly to the local Nature Recovery Network, and result in net biodiversity gain.
- 7.90 Overall, regarding the impact on Ancient woodland, it has been demonstrated that there is an overriding public need for the scheme and a lack of suitable alternative sites or design solutions within the preferred site which avoids loss of ancient woodland. Natural England and the Environment Agency have highlighted that they are satisfied that provided the mitigation and compensation strategy is secured and fully implemented the scheme would have delivered a suitable compensation strategy for the loss of irreplaceable habitats. As such it is considered that wholly exceptional reasons apply in this application, in that a clear and convincing justification and a suitable compensation strategy have been demonstrated in accordance with paragraph 175 of the NPPF.

*Impact on the Historic Environment, Conservation Area and Registered Park and Gardens and Listed Buildings*

- 7.91 The application is supported by a Heritage Statement in Chapter 8 of the ES, which considers the impact on the historic environment. The historic environment within the reservoir site includes portions of the Grade II\* Registered Park and Garden (RPG) at

Leigh Park (Staunton Country Park) and the Sir George Staunton Conservation Area. In addition, 13 Grade II Listed Buildings lie within the Conservation Area and Registered Park and Gardens, but outside the application site.

- 7.92 Local Planning Authorities have a statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building, or its setting, or any features of special architectural or historic interest it possesses when considering planning applications. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on LPAs to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Specifically Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

*“In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2)3 , special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

Setting of the Conservation Area

- 7.93 The setting of Leigh Park is primarily of significance as a good example of an informal 19th century landscaped garden. Historically the gardens were particularly unusual in the way that they reflected the Chinese and botanical interests of their principal creator, Sir George Staunton. The gardens incorporated plants newly introduced from China, themed garden areas, follies and garden buildings. Staunton also created a large ornamental lake, Leigh Water. Staunton’s pleasure gardens were focused around Leigh Water and are surrounded by parkland that predates this and was later altered by subsequent 19th century owners. This parkland provides an attractive context for the gardens, greatly enhancing their attractiveness and grandeur.
- 7.94 The Avenue was created by William Stone, who bought the park in 1861 following Staunton’s death. He moved the residential focus of the estate north to the highest part of the site, overlooking Leigh Water, where he built a Gothic mansion. All that remains of this is an arcaded terrace (listed grade II) which utilised the topography of the park to have a key view down to Leigh Water and over the surrounding parkland and land beyond.
- 7.95 Stone carved the Avenue out of existing woodland as a green ride with a new lake half way along its distance. Called Upper Lake, it had a waterfall as well as boat and bathing houses. The Avenue ran from the mansion to the county boundary to the northwest and was designed to be a grand feature. Views along the Avenue were channelled along its length, with no views to the surrounding parkland and limited views to the mansion, creating a private and secluded ride and lake. This contrasted the open parkland views from the mansion, overlooking Leigh Water.
- 7.96 The Avenue north of Upper Lake is now lost. Upper Lake itself is largely overgrown and has lost its boat and bathing house, with its waterfall largely hidden. The significance of the remaining half of the Avenue is therefore compromised by its truncation. However, it still makes an important contribution to the significance of the park as the most ambitious element of the later 19th century works to the landscape to survive.

Impacts of the proposal on the significance of this designated site

- 7.97 The Scheme would remove part of the Grade II\* RPG as well as a portion of the Sir George Staunton Conservation Area which would experience moderate adverse

effects. The removal of a portion of the Avenue landscape feature is required for the construction of the embankment and reservoir. Part of the Conservation Area (an area of open space near High Thicket Lawn) is required for the construction of the embankment and the control house would be located within the embankment in the Conservation Area. The proposal would result in harm by the total loss of Upper Lake and part of the remaining Avenue, as well as through the change to the view when on The Avenue near the reservoir, diminishing the ability to appreciate and understand the extensive and enclosed nature of the historic ride.

- 7.98 The NPPF, in paragraph 193, outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.99 In addition, paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II registered parks or gardens should be exceptional, assets of the highest significance including grade I and II\* registered parks should be wholly exceptional.
- 7.100 The design for the reservoir has evolved to minimise impacts on the RPG and Conservation Area as far as practicable, including steepening areas of embankment to reduce the amount of land needed to build the embankment and reducing the number of trees to be removed. The variation in slope gradient and planting proposed would also give the embankment a more natural appearance in keeping with Staunton Country Park RPG. The design has sought to minimise the visual impact of the control house on the setting of these historic assets, by embedding it within the embankment, proposing large areas of living roof and a natural palette for the material finishes. The outline design for the control house is in line with the guidance in the Sir George Staunton Conservation Area Character Appraisal and aims to ensure the building is in keeping with the character and appearance of the Conservation Area.
- 7.101 In addition, the design of the proposal has sought to reflect the history of the landscape and pays tribute to the 'lost' part of the Avenue. A staircase is proposed to climb the embankment of the reservoir, continuing the line of the lost section of The Avenue. It is intended that at the top of this staircase a viewing platform would be created to afford some understanding of The Avenue feature, providing medium length views along the ride, as well as the surrounding estate and reservoir. Visually the steps also provide a focal point at the end of The Avenue and can be used to interpret the changes to the historic landscape through time. There would be views across the water to the visitor centre and wetlands as well as looking back above the tree line of The Avenue towards the RPG and its features and follies. Furthermore, as part of the mitigation, further interpretation measures, in accordance with the Sir George Staunton Conservation Area Management Plan 2008, are proposed to explain the purpose and original extent and historical context of the Avenue, Conservation Area and RPG.
- 7.102 When taken as a whole the development would have some adverse impacts on the setting and, therefore, the character of the Conservation Area and RPG. However, the degree of harm is considered to be less than substantial with regards to the tests set out in the NPPF. The assessments of significance by both the applicant's Heritage Assessment and the views expressed by Historic England, both assert that the degree of harm is less than substantial. For the reasons set out above, it is considered that less than substantial harm is the correct assessment of the degree of impact and

therefore paragraph 196 of the NPPF is relevant, which states:

*“Where a development proposal 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 including, where appropriate, securing its optimum viable use.*

Setting of listed buildings

- 7.103 The application is accompanied by a Heritage Statement, which considers in detail the impact on the setting of the listed buildings. As has been outlined within the Conservation Area and RPG, lies 13 listed buildings, which all form part of the historic the estate complex.
- 7.104 The closest of the listed buildings is The Terrace, which allows views towards the north, which encompasses the Upper Lake and parts of The Avenue. The proposals largely retain key views from the terrace this vista would be slightly altered by seeing a small portion of the reservoir. This would compromise to an extent the experience of looking out over unbroken countryside that the terrace was designed to take advantage of. On this basis, the proposals would cause a low level of harm to the significance of the grade II listed terrace. This application provides for mitigation in the form of a landscaping scheme which would integrate the reservoir with The Avenue, and the wider landscape of the Conservation Area and RPG, for which The Terrace forms a key part. In addition, interpretation would be provided to explain the purpose and original extent of The Avenue, including how the landscape character has changed and adapted over time. As such it is considered that subject to suitable conditions that the proposal would conserve the character and setting of The Terrace.
- 7.105 With regards to the other Listed Buildings located within the RPG and Conservation Area, these have been assessed in detail within the Heritage Statement within the ES. The combination of the landscape features, including woodland and subsequent limited intervisibility between the assets and the development by virtue of the varying topography, in combination with significance of these buildings being is identified by their age, design and association with the complex of buildings by the B2149, would not result in the proposal being harmful to these buildings. During the construction period impacts could affect the setting, however suitable controls to ensure these impacts are managed and mitigated would be secured. As such the proposal is considered to conserve the character and setting of these listed buildings.

Non-designated Heritage Assets

- 7.106 An Archaeological Assessment was undertaken by the applicant as part of the ES. The assessment indicates that there are no designated archaeological sites within the development area and that there is no intervisibility with the three Scheduled Monuments in the wider study area. The study indicates that there are only two known archaeological sites recorded on the, within the development area, however it also notes a range of earthworks identified from LiDAR which are presently undated and of uncertain function/origin. This suggests that there is a moderate archaeological potential for prehistoric remains, particularly of Mesolithic date; a moderate potential for Roman remains and a moderate to high potential for post medieval remains – notably those associated with nationally important designed landscape of the Park.
- 7.107 The development of Havant Thicket would clearly have an impact on the setting of these undesignated heritage assets and the NPPF sets out that the significance of a non-designated heritage assets should be taken into account in determining the application and in weighing applications that directly affect non-designated heritage assets, a balanced judgement would be required having regard to the scale of any

harm or loss and the significance of the heritage asset (paragraph 135).

- 7.108 On the basis of their significance along with local and national planning policy, a programme of archaeological mitigation or selective preservation is considered appropriate. The conclusion of the archaeological assessment is that subject to careful master planning and an appropriate programme of archaeological mitigation, there appears to be no over-riding area constraints to the proposed development of the site, which is considered to be an appropriate conclusion on this particular element. Planning conditions including the securing of a Heritage Management Plan to set out how the roll out of evaluation, mitigation, excavation, community engagement, publication and green infrastructure in relation to phases and to the significant known archaeological assets impacted are necessary and have been secured under condition - in order to bring clarity to the future Key Phase and reserved matters submissions.

**Balance in relation to Heritage Harm**

- 7.109 As set out above it is considered that there would be harm caused to the Conservation Area and Registered Park and Gardens. All are considered to be less than substantial harm in regard to the tests set out in the NPPF. This is concluded having regard to established case law considering substantial harm as impacts that “have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced” (Bedford Borough Council v. SSCLG and Nuon UK Ltd [2012]).
- 7.110 As required by paragraph 196 of the Framework where development would 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.
- 7.111 In terms of the public benefits of the proposal the development would deliver and provide resilient water supplies for the areas covered by Portsmouth Water and Southern Water over the next 25 years, enabling Southern Water to meet its legal obligations to reduce water abstraction from the River Itchen. Furthermore, the proposal would provide new and enhanced recreational and educational facilities for residents and visitors.
- 7.112 The proposal would lead to economic benefits, related to both an extensive construction period but also in relation to longer term jobs. In addition, visitors would generate and provide expenditure into the local economy.
- 7.113 Taking the above into account it is considered that the public benefits do outweigh the harm identified to the heritage assets, whether balanced on an individual basis or cumulatively, in accordance with paragraph 196 of the NPPF. Having regard to the requirements of Section 66 and 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 the proposal is therefore considered acceptable in this regard and in accordance with adopted East Hampshire District Council policy CP26, Havant Borough policies CS18, CS19 and emerging policy KP9 of the Havant Borough Local Plan .

**(iii) Impact of the development on ecology**

- 7.114 The application is accompanied by detailed ecological information, which comprises Environmental Statement Chapter 2 Biodiversity (Atkins/Portsmouth Water, September 2020) and each of the habitat and species- specific technical reports with supporting appendices (ECOSA, various dates). Together with the Outline Biodiversity Mitigation and Compensation Strategy and the Habitats Regulations Assessment. Further details have been provided for proposed off-site mitigation, compensation and enhancement measures. These details are contained within the Implementation Plan for Off Site

Biodiversity Mitigation and Compensation (Atkins, April 2021) as well as the Technical Note – Article 4.7 WFD Short-listing methodology (Atkins, March 2021) and accompanying letter to Portsmouth Water - Havant Thicket Winter Storage Reservoir – Water Framework Directive (WFD) Article 4.7 (Environment Agency, 18 February 2021).

- 7.115 Detailed ecological assessments at the site have taken place over a considerable period of time. The scope, scale and standard of ecological assessments are considered appropriate in assessing the ecological baseline over many years using expert technical advice. The robust baseline allows a greater level of certainty with respect to predicted impacts and is used to shape the overall ecological mitigation, compensation and enhancement package. The application has been further supported by an Implementation Plan, which has been produced following comments from the Ecologist consultant, Natural England and the Environment Agency.
- 7.116 Within the reservoir site, The Avenue, Middle Clearing and Round Wood are classified as Ancient Semi-Natural Woodland (ASNW). The Corsican Pine Plantation is classified as Plantation on Ancient Woodland Sites (PAWS). A significant part of Havant Thicket woodland to the north is listed as PAWS. Bells Copse, located to the west, also located within the wider reservoir site is also listed as partly ASNW and partly PAWS.
- 7.117 There are eight Sites of Importance for Nature Conservation (SINC), selected predominately for supporting woodland, wholly or partially within the reservoir site. These are Middle Clearing SINC, Thicket Bottom SINC, Thicket Bottom Woods and Lake SINC, Havant Thicket SINC, Havant Thicket (South-West Corner) SINC, Idsworth Common SINC, Bell's Copse SINC and Cabbagefield Row SINC. In addition, four Priority Habitats are present within the reservoir site namely purple moor grass and rush pasture, lowland dry acid grassland, wet woodland and lowland mixed deciduous woodland.
- 7.118 A further seven SINC's are immediately adjacent to the reservoir site. These are Blendworth Common (North) SINC, Blendworth Common (South) SINC, Meadow by Bell's Copse SINC, Dunsbury Hill Wood SINC, Dunsbury Hill Grassland 2 SINC, Thicket Lawn SINC and Hammond's Lands Copse SINC.
- 7.119 The NPPF states that when determining planning applications, LPA's should aim to conserve and enhance biodiversity and opportunities to incorporate biodiversity in and around developments should be encouraged. The loss of Ancient Woodland is considered in detail by paragraphs 7.78-7.90, above. This section is therefore focused on the broad principles of the overall ecological strategy for the site, with views on specific elements where required.
- 7.120 A project of this scale cannot be realised without significant ecological impacts, and it is clear that there are substantial implications for the existing natural environment of Havant Thicket. The proposal would require the permanent loss of irreplaceable habitats such as ancient woodland and veteran/notable trees as well as substantial losses of other woodland, grassland, scrub and seasonal watercourses and other waterbodies. The surveyed area supports a range of protected species, including nationally-rare species of bat as well as badger, hazel dormouse, common reptiles, great crested newt, breeding birds and notable invertebrate species.
- 7.121 The profound change of land-use would result in significant impacts to many of these species. Many of the impacts cannot be directly compensated on a like-for-like basis and there is an acknowledgement that mitigation, compensation and enhancement measures must be viewed as a whole package, many of the benefits of which may not



be realised for many years, just as many of the impacts would be permanent or of long duration. Given the scale of the proposals there is a necessary reliance on off-site measures which primarily entail woodland management interventions to enhance habitat. Some of the mitigation measures for certain species - bats and hazel dormice in particular - would require intensive hands-on interventions and long-term commitment from the applicant to ensure that species are protected in accordance with any European Protected Species (EPS) licence conditions. The following paragraphs outline the impacts and mitigation measures on each identified species.

7.122 The LPA also has a duty to address the three tests contained in the EU Habitats Directive and UK Habitat Regulations when determining planning applications affecting European Protected Species. These are:

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e)).
2. there must be 'no satisfactory alternative' (Regulation 53(9)(a));
3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).

#### Bats

7.123 Extensive bat survey works over a period of ten years has resulted in a robust understanding of the bat populations of the site and surrounding area. Data collected from the site and adjacent areas, as well as those collected for other development sites in the wider landscape, provide a very useful overview of the bat assemblage in context. The analysis of these data provides insights into seasonal trends and activity by location.

7.124 At least thirteen bat species have been recorded within the surveyed area. The most significant finding is the presence of the very rare Bechstein's bat, which have been shown to roost on site in small numbers (although not during the most recent surveys) and use the site for foraging, commuting and presumably social purposes. The application site clearly forms part of a much larger area of habitat used by the local Bechstein's bat population, and there is a likelihood that the south-east Hampshire population is functionally linked to larger populations in West Sussex.

7.125 Following discussion with Natural England, it is considered that the applicant's assessment is appropriate, it that there is a likely (but so far unproven) functional link between Bechstein's bat populations in this area of south-east Hampshire and larger populations associated with the Singleton & Cocking Tunnels Special Area of Conservation in West Sussex, approximately 15km east of the application site. Using a precautionary approach, it is prudent to assume functional linkage between bat populations in these two areas and that impacts to bats and bat habitat within the application site would affect SAC supporting habitat.

7.126 The detailed analysis of data which appears to show that the application site itself does not support maternity roosts and that individual Bechstein's bats used the site for only a small percentage of time compared with off-site areas. Nevertheless, the importance of the site for this species is acknowledged. In terms of roosting bats, the site has been shown to support brown long-eared bat, Natterer's bat and Bechstein's bat. It is recognised that given the presence of woodland and trees on site it is highly likely that other bat species would roost also, and that bats continually change their roosting locations. The proposal would result in the loss of substantial areas of bat

habitat in the form of woodland, trees and open grassland and would remove numerous trees with bat roosting potential.

- 7.127 Impacts to bat species would, at least in the short term, be substantial due to woodland and grassland loss. In the longer term, the reservoir site (the open water, new wetland and grassland embankments) would offer suitable foraging habitat for a range of bat species. The proposed woodland enhancements would also offer new opportunities for bat species, as would the programme of roosting box installation (natural tree roost opportunities being generally scarce within surrounding forestry woodland and of course being reduced due to the loss of the Avenue). The proposed funding scheme should be focussed on securing meaningful landscape-level enhancements for bats such as reconnecting habitats - details of these can be provided at a later stage and their delivery should be a key indicator of mitigation success.
- 7.128 The applicant has been discussing licensing matters with Natural England specialists and that a bespoke approach to licensing is required. In terms of the judgement on the Habitats Regulations derogation tests, in recognition of the exceptional nature of this project, it is considered appropriate to accept that the favourable conservation status of bats can be maintained if the proposed compensation and enhancement measures can be delivered as proposed: the use of soft-felling techniques; the reuse of tree limbs with roost features; the installation of bat roosting boxes in the wider landscape are all suitable methods of mitigation. This very much depends on the delivery of meaningful off-site improvements that would benefit the same bat population. On the deliverability of landscape-scale mitigation, compensation and enhancement measures for bats are considered below.
- 7.129 Due to the exceptional nature of this project there is an unavoidable degree of uncertainty over the efficacy of proposed compensatory and enhancement measures. The new woodland plantings at Gipsies and Deerslaughter Plains (already completed) provides useful linkage between areas of woodland habitat but would not approach a comparable condition to the lost habitat for some decades although their function as a habitat corridor/foraging area in the coming years is acknowledged. In essence, lost habitat is not being directly replaced but rather the carrying capacity/suitability of existing habitat is being enhanced through a range of measures. Aside from direct comparisons of area measurements it is not really possible to robustly equate areas of loss to areas of compensation/enhancement in a qualitative manner. The proposed areas of enhancement far exceed those of impact and would result in a beneficial effect overall. The whole package of on and off-site mitigation, compensation and enhancement measures together does provide a robust framework.
- 7.130 This development would affect bats, European Protected Species (EPS) which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.
- 7.131 It is considered that sufficient information has been provided to assess impacts to bat populations. In terms of maintaining the favourable conservation status of bat species, the proposed mitigation, compensation and enhancement measures offer a comprehensive package of measures to avoid direct harm to roosting bats, to mitigate the impacts of habitat removal, to provide enhanced roosting opportunities on and off-

site and to provide substantial long-term landscape-scale habitat enhancements. This is an exceptional proposal and a bespoke approach is required. The application is supported by extremely detailed information on bats and the applicant has engaged in detailed discussions with Natural England licensing. On this basis it is considered that the favourable conservation status of bats overall can be maintained at the population level. Full updated details of all bat mitigation, compensation, enhancement and post development monitoring measures are provided alongside future applications for each phase of development.

#### Hazel dormice

- 7.132 A population of hazel dormice is present, inhabiting woodland and scrub areas throughout the site. This is not surprising as the species is relatively widespread throughout Hampshire. The proposals would remove substantial areas of dormouse habitat and have the potential to result in harm to individual dormice and the severance and fragmentation of dormouse populations. Mitigation includes standard two-phase habitat removal coupled with the capture, holding and soft-release of animals within enhanced habitat outside the site boundary. This is the only realistic option to avoid direct harm to dormice and acceptable in principle. Details would be required with regard to the security of any animal holding pens at this site: the high levels of antisocial behaviour means that damage to pens and animals within is a clear risk, however an appropriate condition can secure appropriate protection measures.
- 7.133 It is considered that sufficient information has been provided to assess impacts to hazel dormice. In terms of maintaining the favourable conservation status of this species, the proposed mitigation, compensation and enhancement measures offer a comprehensive package of measures to avoid direct harm to dormice, to mitigate the impacts of habitat removal, and to provide long-term landscape-scale habitat enhancements. The applicant has engaged in detailed discussions with Natural England licensing. On this basis it is considered that the favourable conservation status of dormice can be maintained at the population level. Full updated details of all hazel dormice mitigation, compensation, enhancement and post development monitoring measures are provided alongside future applications for each phase of development.

#### Birds

- 7.134 The main impacts would be from the loss of woodland and grassland habitat. The loss of grassland would result in the loss of breeding skylark and meadow pipit habitat. Lapwing used to breed more numerously at the site, but numbers have dropped substantially in recent years, and the proposals would impact the single territory recorded in 2018. Other species impacted include woodland, scrub and grassland species such as song thrush, dunnoek, linnet, warblers and tits. Mitigation would entail the removal of suitable habitat outside the nesting season. In terms of compensatory habitat, the new woodland/scrub plantings, the new wetland and grassland and the off-site woodland enhancements would provide new opportunities for a range of bird species, albeit mostly different species.

#### Reptiles

- 7.135 The grassland and scrub/woodland edge habitats across the site support all four common reptile species in good numbers. A substantial area of reptile habitat is to be impacted, requiring the capture and removal of potentially hundreds of animals from the site. Mitigation measures comprise capture and translocation of animals to enhanced areas within adjacent woodland. This is acceptable in principle, although it is prudent not to underestimate the practical difficulties in capturing and removing so many animals from the construction site.

### Amphibians

7.136 Great Crested Newts (GCN) occur within ponds in the surrounding area. It is not considered that the proposals to result in significant impacts to this species and that the proposed mitigation, compensation and enhancement measures are considered appropriate. It is considered that sufficient information has been provided to assess impacts to GCN.

7.137 In terms of maintaining the favourable conservation status of this species, the proposed mitigation, compensation and enhancement measures offer a comprehensive package of measures to avoid direct harm to GCN, to mitigate the impacts of habitat removal, and to provide long-term landscape-scale habitat enhancements. The applicant has engaged in detailed discussions with Natural England licensing. On this basis it is considered that the favourable conservation status of GCN can be maintained at the population level. Full updated details of all GCN mitigation, compensation, enhancement and post development monitoring measures would be provided in future applications for each phase of development.

### Invertebrates

7.138 The loss of extensive areas of woodland, scrub and grassland habitat would undoubtedly impact various invertebrate species. The loss of a significant length of seasonal stream habitat would result in impacts to some rare/notable aquatic invertebrate species. Mitigation for terrestrial invertebrates includes the overall woodland enhancements and that the new wetland area would support invertebrate populations. In terms of mitigating impacts to the seasonal streams, the Environment Agency has agreed enhancement measures, which would result in a scheme of off-site river restoration measures, entailing in-channel and riparian enhancements.

### Overall summary on protected and notable species

7.139 There would be substantial impacts to a suite of protected and notable species, due to the loss of a considerable extent of semi-natural habitat. Given the scale and timescale of impacts there is essentially no scope for retention of meaningful habitat within the site. The bulk of mitigation is, therefore, related to salvage of individual animals from the construction footprint and the timing of operations to minimise impacts. The removal and translocation of animals such as hazel dormice and common reptile species is reliant on the availability of suitable receptor habitat within adjacent land. It is considered that the species capture and translocation works would be undertaken in an acceptable way consistent with best-practice guidelines. The proposed mitigation measures would be drawn up in consultation with the Ecologist Consultant and Natural England and would be secured in a legal agreement.

### Overall mitigation strategy

7.140 The proposed outline mitigation and compensation strategy relies on several strands: the removal of certain protected/notable species from within the construction footprint; the use of habitat manipulation techniques to render habitat less suitable prior to construction; a commitment to long-term habitat management works in surrounding land; the use of artificial nesting and roost boxes; a commitment to substantial new grassland and pasture-woodland habitats off-site; the creation of new habitats within the developed site; enhancements to retained watercourses and waterbodies; and the establishment of a fund for ecological improvements.

7.141 The large scope and scale of the proposed mitigation and compensation measures and the efforts employed to date in ensuring that key stakeholders have been involved in their scope and design are acknowledged. Within the reservoir site itself the proposed land-use changes are so profound that it is essentially impossible to make meaningful comparative judgements between losses and gains that take full account of

impacts to habitats, species and the local ecological network.

- 7.142 Whilst recognising the significant ecological impacts arising from the proposal, the compensation proposals, would result in a significant biodiversity gain from a wetland habitat on such a vast scale and the proposed dedicated wetland habitat at the northern shore of the site would provide significant ecological benefit. The wetland (containing open water, marsh, wet woodland, exposed muds and wet/damp grassland) would provide a valuable habitat for many species that do not currently occur as well as for many of the species already present. The benefits of the new reservoir and dedicated wetland area should be felt within the nearby designated Solent coastal habitats: it can be expected that bird species associated with the Solent SPAs (especially waders, wildfowl and terns) would utilise the reservoir and wetland. The additional habitat may assist in mitigating the effects of recreational pressure on the Solent intertidal and terrestrial habitats. The expected reduction in nutrient input to the Solent would also be of overall benefit from the development.
- 7.143 The extensive enhancements to woodland habitat within the immediate surrounds and further afield are ambitious and would almost certainly provide benefits for a range of species associated with woodland, scrub and edge habitats. The delivery of enhancements is dependent upon a long-term commitment and working in partnership with adjacent landowners. Woodland management operations should increase the availability of open areas such as rides and track junctions and also rotational coppice, suiting species such as invertebrates, birds and hazel dormouse. Post-construction, the reservoir embankments would provide valuable grassland habitat that would likely be of greater species-richness than the existing site. This habitat would be attractive to ground-nesting bird species that are impacted by the proposed works.
- 7.144 The site as proposed would undoubtedly be a significant visitor attraction and presents many opportunities for promoting the natural environment. The proposed visitor centre should act as a hub for visitors and is an excellent opportunity for public engagement and interpretation. It is acknowledged that comments have been made in letters of representation from local wildlife groups and other members of the public with regard to the location of the visitor centre on the water's edge. This matter has been considered in detail and it is not considered that this would conflict with the ecological enhancements either on an individual or cumulative scale. The location of the visitor centre by the water's edge would provide an excellent opportunity to engage the public as happens at many large wetland sites. It is hoped that public engagement activities would take place in future years.
- 7.145 The landscaping areas surrounding the visitor centre would offer an opportunity for further wildlife-rich habitat. Controlled through condition every opportunity would be taken to embed biodiversity within the more formal areas of the site through the use of wildflower-rich grassland throughout as well as the provision of locally-relevant habitats such as acid grassland/heathland/bare ground.
- 7.146 Overall, the outline proposals for biodiversity mitigation, compensation and enhancement are considered acceptable. Following consultation responses between the Ecologist Consultant and Natural England, further information has been provided on the scope, location, timing and delivery of off-site measures. These are contained in the submitted Implementation Plan and the four Action Plans contained within. In summary, proposed off-site mitigation, compensation and enhancement measures include:
- Creation of 60 Ha of pasture woodland and 20 Ha of neutral grassland;
  - 72 Ha of woodland enhancement within Southleigh Forest;

- 5.5km of watercourse enhancement;
- £40,000 per annum for 30 years from 2029 towards Capital Grants Scheme.

- 7.147 The location for the creation of the pasture woodland and neutral grassland totalling c.80ha is yet to be confirmed, and it is stated that several options are being reviewed across the local landscape. It is understood that one option entails woodland situated to the east of the application site. The scope of proposed works is detailed, with the stated purpose of enhancing the local ecological network by creating and enhancing woodland linkages. There is clearly work to do in determining the location and extent of these proposals, and the further details would be required by condition and legal agreement.
- 7.148 Southleigh Forest is owned by Portsmouth Water. Much of the woodland is classified as Plantation on Ancient Woodland (PAW) and it is proposed to actively manage these areas, alongside areas of non-plantation ancient woodland, to improve habitat quality. A management plan is being devised by the Hampshire & Isle of Wight Wildlife Trust and would be funded by Portsmouth Water. The plan is being developed currently and would be subject to review and comment by key consultees.
- 7.149 A package of proposed enhancement works to various ephemeral watercourses has been agreed in principle with the Environment Agency and forms part of the Article 4.7 Water Framework Directive. These measures would provide enhancements to headwater streams north of the proposed reservoir as well as to several watercourses within the wider landscape to the south. The proposed measures include channel restoration to parts of the Hermitage Stream e.g. profile, banks, channel substrate, on-line ponds, improvements to other pond habitats and areas of plant translocation. It is the view of the EA, subject to legal agreement, these measures would ensure that 5.5km of watercourses are enhanced and this is sufficient to compensate for the identified impacts.
- 7.150 The proposed Capital Grants Scheme would provide c.£40,000 per annum for 30 years from 2029 onwards in order to deliver projects to enhance habitats in the local landscape. An outline list of project objectives has been provided, focussing on enhancing the local ecological network, enhancing knowledge of protected species distribution and status, and providing equipment for local knowledge gathering. It is proposed to establish a steering group to assess potential projects and monitor the scheme.
- 7.151 Overall, the submission of the Implementation Plan and Action Plans, provides a useful level of further detail to demonstrate the scope of the proposed works and methods of delivery. It is acknowledged that there is uncertainty over the exact location and nature of some aspects but consider that these further details can be provided through future planning submissions and secured through appropriate legal agreements.
- 7.152 There are various conditions which are relevant to biodiversity. The Site Wide Framework (condition 36) includes the requirement for the submission of a Site Wide Ecological Mitigation and Management Strategy and the Key Phase condition also requires the submission of a Key Phase Ecological Management Plan setting out how the development would secure ecological enhancements and mitigation. This together with a 'running total' of mitigation, compensation, enhancement delivery and monitoring in order that the applicant, LPA and other stakeholders understand what is being delivered, where and by whom, and that net biodiversity gain is achieved.

**(iv) Leisure and recreation provision**

- 7.153 The Leisure and recreation provision within this application, which is outlined in paragraph 3.7, and its links to health and wellbeing is supported within the adopted and emerging policy for this site. This is amplified in the NPPF Paragraph 91 which supports the achievement of healthy, inclusive and safe places which enable and support healthy lifestyles, for example through the provision of safe and accessible green infrastructure and layouts that encourage walking and cycling.
- 7.154 HBC Policy CS18 and draft Policy KP9 outline the Scheme's development requirements in terms of leisure and recreation. HBC draft Policy KP9 and EHDC draft Policy S31 seek:
- Recreational provision appropriate to the countryside location and no motorised activities acknowledging the site's primary use as a reservoir
  - enhancement of Green infrastructure links between the rest of Leigh Park and Dunsbury Park
  - a network of new paths for walking, cycling and horse-riding with links to Riders Lane and Hermitage Stream corridors being realised wherever possible.
  - connection to the existing public and permissive path network in the neighbouring area
  - access and the surfacing of paths must take account of the needs of all including the provision of seating.
- 7.155 A Visitor Study, which has been submitted as part of the Environmental Statement (Appendix A18.3). This was undertaken to identify the appropriate level of recreational intensity, considering the environmental capacity of the reservoir site, including the potential numbers of visitors and the scale of visitor facilities required. The outcome of this Visitor Study was considered at the Havant Thicket Stakeholder Group in March 2019, which considered a range of scenarios in terms of the composition and intensity of visitor facilities. At this meeting there was a high a level of support for a medium level of activity where the quiet and rural nature of the site was maintained, and facilities complimented those provided at Staunton Country Park.
- 7.156 The scheme as currently submitted for the recreational and leisure facilities is outline in nature, with the full details to be considered later at the Reserved Matters stage. This application does provide broad parameters, in terms of size and scale together with the approximate locations of these elements. A visitor centre, car park, play and picnic areas and a bird hide would be grouped together within the northwest corner of the reservoir site to create an attractive and accessible hub for local communities. The visitor centre would have a café, shop, and education and community space that would be open to everyone.

**Visitor Centre**

- 7.157 The centre would be located on the waterfront in the north-western corner of the site, with access to the car park and the wetland. It would be surrounded by nature, with direct views across the wetland and reservoir and designed so it can be adapted for different uses. As has been outlined above, the full detailed design and scale would be considered later at the Reserved Matters stage. The application does include parameters for the development, which are follows:
- The maximum building zone for the visitor centre is 35m x 55m with a maximum height of 10m, this would allow sufficient flexibility in its design;
  - The proposed building would be single storey which reduces the impact on the local landscape;
  - The educational bird hide is being designed to accommodate a school group with a lobby area. It would have a maximum envelope of 9m x 20m and height of 5m

to allow flexibility in its design;

- The exterior of the visitor centre and educational hide would have a natural appearance to reflect the surrounding habitats, combined with large areas of glazing to provide views across the wetlands and reservoir.

7.158 The visitor centre would include:

- A reception area with information about water, wildlife, the historic environment, and the activities for visitors
- a large open plan café with large windows to give views over the wetland, with seating for up to 50 people
- a waterside terrace, with wildlife viewing facilities and space for additional visitors
- a small space where locally grown food, art and other produce could be sold
- a flexible education and community space, with a separate outdoor area, cloakroom
- toilets and storage
- a staff area with office, break room, store and toilet.

7.159 The placement of the visitor centre within the wetlands allows for a building surrounded by nature. The journey to the centre, with paths adjacent to the wetlands and potentially with bridge links, creates a direct visitor relationship with the surrounding habitats. The placement of the bird hide away from the visitor centre would provide a quieter area to view the wildlife. The journey to the hide from the car park and centre takes the visitor alongside the wetlands into a wildflower meadow with a clearly defined path.

7.160 The landscape has been considered to include promontory points which allow views across the wetlands. The visitor centre would sit in a location between these points, within a purpose-made bay formed in the wetlands, to allow for clear views across wetlands and reservoir, connecting the visitors to the natural surroundings.

#### Car Park

7.161 Following discussions and consultation with the Havant Thicket Stakeholder Working Group it was agreed that the car park should be located in the north-west corner on the Site where it can be accommodated without significant impact. The car park was originally proposed to be located within Bells Copse, which is classified as ancient woodland. Avoiding this irreplaceable habitat, was the key driver in finding a new location for the car park during the evolution of design. The design of the car park would be in keeping with the rural nature of the site. The car park would be set amongst trees creating a woodland feel and providing a sense of screening to the car park. The woodland feel to the car park would improve connectivity for wildlife between Bell's Copse and Havant Thicket. Further details of car parking capacity and wider vehicular access arrangements are considered in more detail in the highways section below.

#### Internal movement and access

7.162 The new facilities provided by the development would result in increased usage of the site, the surrounding Havant Thicket to the north, and Staunton Country Park to the south. Furthermore, connections to the existing settlements surrounding the development need to be considered in detail to provide an effective access strategy. The application outlines that many parts of the reservoir, including the visitor centre, would be accessible for all users with varying abilities. The centre would also provide level thresholds or ramps if a change in level is needed. Within the landscape to the visitor centre, paths with wheelchair access would be provided. Resting places including benches/seats within the landscape would also be provided. These matters



would be considered further in subsequent detailed Reserved Matters applications.

7.163 The development provides an extensive network of circular walks of varying lengths. Consideration was given to suitable distances for short and long walks that connect into existing long-distance paths. The distance for a long circular route, around the reservoir utilising the crest, is 5km (3.1miles). The shorter circuit through the woodland to the north is less than 2km (1.25miles). An operational maintenance track and crest pathway are proposed, which would be 4m wide and permissive paths around the Visitor Centre would be a minimum 2m wide. The connectivity to paths within Staunton Country Park is important as part of the wider walking network.

7.164 Pedestrian access points would be from:

- The east at the existing Forestry England 'Forest of Bere' car park;
- South east at Gypsies Plain via an improved pedestrian access at Cedar Drive;
- The connection to Staunton Country Park along the Avenue;
- From Swanmore Road to the east by the viewing area;
- The north-west corner via the car park.

#### Cycle routes

7.165 The application proposes a number of new cycle routes. The longest circular route on site would be approximately 5.5km (3.4miles) and there would be opportunities to connect to existing neighbouring routes. The cycle routes would allow for a wide range of experiences allowing for exploration through the landscape. The routes would connect people to nature whilst encouraging an active lifestyle and promoting wellbeing. Measures may have to be put in place to slow cyclists down on multiuser routes with further details to be controlled through appropriate conditions.

#### Bridleways

7.166 A Public Right of Way (Bridleway) crosses the centre of the site in an east-west direction. A Section 257 Bridleway Diversion application is currently being consideration to facilitate the development. The development results in the loss of a public bridleway that must be replaced. There is a need to reroute this bridleway which crosses the site. There are safety concerns with the current exit of the bridleway onto the Manor Lodge Road and current users use either permissive access through Forestry England land or an entrance opposite Castle Road into Havant Thicket.

7.167 Ultimately, the existing bridleway would be diverted to the south of the embankment, along the proposed operational maintenance track. A temporary diversion would be required to the north through Forestry England land during construction. A new bridleway route along Cedar Drive would provide a safer entrance and exit for local horse riders. Hampshire County Council design standards for bridleways outlines that these must be minimum 3m wide path. The operational maintenance track and crest pathway are proposed 4m wide, and as such complies with this standard. HCC Countryside Team, have considered these matters and have raised no objection. The Bridleway diversion and proposed improvements would be secured though a legal agreement.

#### Water Sports

7.168 The use of the site for water sport recreational activities have been considered in detail and have been subject to extensive stakeholder and public engagement, as to whether the reservoir could be used for activities including fishing, swimming and water sports such as sailing and canoeing. The applicant has considered this feedback, and has outlined the following:

- Fishing – The reservoir water would not be suitable for coarse fishing, however

Portsmouth Water are in discussion with the Angling Trust, to see if other types of fishing would be possible, which would need to be balanced against the environmental and conservation objectives of the scheme.

- Swimming – It has been concluded that it would not be safe to allow swimming in a cold, deep and unsupervised reservoir, where water could be pumped in or out at short notice. A number of letters of representation have raised concerns that the development would be a health and safety risk with regard to drowning. A condition is proposed to secure details of measures to reduce the risk of drowning, it is acknowledged that this risk cannot be eliminated, as is the case with any water body, however methods can be implemented to reduce this risk.
- Water sports – During the extensive engagement with stakeholder's water sports, such as sailing and canoeing were considered, however these activities were not progressed as it was considered to conflict with the environmental and conservation objectives of the scheme. Furthermore, the site is in close proximity to the coastline, where such activities are widely available.

#### Viewing areas

- 7.169 A viewing area is proposed in the south-western corner of the reservoir and was chosen because of its proximity to the neighbouring Warren Park, offering local residents somewhere to lookout across the reservoir. A plaza area with seating adjacent to a planted raised bed, provides a point to rest along the 5.5km circular route of the reservoir.
- 7.170 The proposed Avenue staircase, leading from Staunton Country Park to the top of the embankment, would provide a key opportunity to celebrate the interface between the reservoir and the park. It would also integrate the historic environment into the visitor experience. Visually the steps would also provide a focal point at the end of The Avenue and can be used to interpret the changes to the historic landscape through time. There would be views across the water to the visitor centre and wetlands as well as looking back above the tree line of The Avenue towards the Registered Park and Garden.
- 7.171 The proposed wetland habitat would encourage different wildlife to the site. The area would be used as an educational resource, to assist in providing teaching experiences through the school curriculum and adult education, to help educate the community about nature and our impact on the environment. It would attract different bird species which would encourage bird watchers. Boardwalks through natural wetland planting would bring the community closer to nature and viewing locations for the wetlands would be at the end of gated pathways preventing access for dogs and minimising disturbance. These detailed matters would be considered in subsequent Reserved Matters applications.

#### Public Art

- 7.172 The site allocation policy requires the incorporation of public art in the scheme, whilst these matters would be considered in detail in the Reserved Matters applications, the applicant has provided a high-level strategy for public art. This outlines that a wide interpretation of public art is possible including use of features such as benches, walls and signposts. An integrated approach of public art with street furniture can be explored for items such as benches, cycle racks and bins. Public art can be used in part to celebrate and enhance the natural and cultural history of the area, including references to heritage features impacted by the scheme, such as The Avenue and the Registered Park and Gardens.

#### Play space and signage

- 7.173 The applicant has committed to providing spaced play, which combines nature-themed playground equipment with trails and greenways to create a playful trail experience for children and families. Play activities could be grouped by theme (i.e. ants, bees, trees or leaves) and installed in pockets of play along a path or trail. As families explore the trail, they encounter play pockets that promote physical activity and fun. Each spaced play pocket could include educational signage with fun facts and activities related to the theme. Spaced play is proposed along the shorter 2km pedestrian route through the woodland north of the visitor centre. Legible signage would be provided to enhance the visitor's experience. Clear signage to guide visitors to the visitor centre, trails and bird watching areas is important to inform visitors of the site of the environmental and conservation objectives for the scheme. Site specific signage, which complements the natural setting would be used. These detailed matters would be considered in subsequent Reserved Matters applications.

#### Site management

- 7.174 Portsmouth Water, Hampshire County Council (who manage Staunton Country Park) and Forestry England are committed to a tripartite management arrangement on the long-term management of the visitor centre, car parking, public amenity and publicly accessible woodland and wetland areas of the Site. This would be enshrined in a Management Agreement. Hampshire County Council and Forestry England have experience of similar, successful arrangements. Site management arrangements would be the subject of a planning conditions and a planning obligation.
- 7.175 In conclusion on this matter the design of the Scheme has been environmentally led and meets the requirements outlined in Policy CS18 and draft policies KP9 and S31. The scheme promotes the use of the reservoir for leisure and recreation and provides an attraction for local communities. The improvement in open space provision in an area accessible to local users would support health and outdoor recreation and enhance nature, which would be of significant benefit to the immediate and wider community and, as such, this weighs considerably in favour of the planning application, in the planning balance.

#### **(v) Impact of the development on the local and strategic highway network**

- 7.176 The National Planning Policy Framework (NPPF) at Paragraphs 108 and 109 states that, in relation to development proposals, decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 110 of the NPPF also states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- 7.177 Extensive discussions have taken place between the applicant, Havant Borough Council, East Hampshire District Council and the County Highway Authority. Further information was submitted by the applicant following concerns raised by the Highway Authority about the proposed safety of northern access onto the B2149. In addition, discussions have been undertaken in terms of securing improvements and enhancements to non-motorised users, which includes pedestrian, cycling and users of the bridleway. As a result, the applicant has further information, following the request for further information from the Highway Authority.

#### Assessment Phases

- 7.178 The application has been assessed within two phases. There is the operational phase for when the site is built and operational as a country park. There is also the

construction phase.

#### Operational Phase Accessibility

- 7.179 The Highway Authority raised concerns about how the proposed development would be accessed from the existing pedestrian and cycling provision, both from the east across the B2149, from Swanmore Road and from the south providing access from Staunton Country Park. The applicant has submitted a more detailed, Access for Non-Motorised Users (NMTUs) accessibility strategy, which includes improving existing connections from the public highway to gain access to the site for pedestrians and cyclists. The improvements are outlined below:

#### Improvements in East Hampshire

- Improvements to the existing crossing on B2149/Castle Road junction to provide
- formal crossing and footway connection to the existing access track, which would provide access from the east at Rowlands Castle
- improvements for pedestrians and cyclists to the existing crossing point on the B2149 at the Forest Bere car park
- improvements to the Whichers Gate double mini-roundabout to provide a suitable crossing point into the site. There is a wider improvement scheme proposed for this junction highlighted through Havant Borough Council's emerging local plan and, therefore, a financial contribution would be secured to ensure delivery of the crossing point.

#### Improvements in Havant Borough

- Improvements to Swanmore Road southern access to the site to include additional pedestrian and cycle connections and tie into the Public Right of Way network which would provide access from Leigh Park
  - improvement of PRoW Bridleway 120 to provide access from the west.
  - Improvements in Staunton Country Park, which covers both Local Authorities
  - Improvements to the existing walking and cycling routes through Staunton Country Park, north of Middle Park Way, which would provide suitable access from the south.
- 7.180 The above improvements would be secured through a Section 106 legal agreement and delivered through Section 278 works or financial contribution be provided to Hampshire County Council to implement the improvement, which would also provide wider paths to accommodate cyclists and upgrading surfacing.
- 7.181 It is considered that these improvements to the walking and cycling access strategy provides points, for local residents, to reduce the reliance on private car use to access the site and ensures safe and suitable access for all users.
- 7.182 It should be noted that the Local Planning Authorities, together with the Highway Authority, have previously raised that a direct link should be provided through from the Land East of Horndean development. However, due to third party land constraints this is not deliverable by the applicant.

#### Trip distribution

- 7.183 The applicant has provided a revised distribution model for vehicular trips across the local road network, in discussion with the Highway Authority. Eight main routes to access the site were proposed;
- route 1 – A3(M) South (northern access)
  - route 2 – A3(M) North (northern access)

- route 3 – B2149 South towards Emsworth (northern access)
- route 4 – B2149 South towards Havant (northern access)
- route 5 – Swanmore Road – Dunsbury Way (southern access)
- route 6 – B2149 North – across A3(M) junction 2 (northern access)
- route 7 – Swanmore Road – Middle Park Way – Purbrook Way (southern access)
- route 8 – Swanmore Road – Middle Park Way – Hulbert Road.

7.184 The trip distribution has demonstrated that 74% of operational trips would access the site through the northern access and 26% would utilise the proposed southern access. The Highway Authority is now satisfied that the methodology and figures presented are robust and, therefore, distribution of operational traffic is agreed.

#### Access Strategy

7.185 The access strategy proposed consists of two vehicular access points for the reservoir. The northern access on the B2149 is proposed to be the main access and the access via Swanmore Road, the southern access, would be a minor secondary access for localised traffic. The Highway Authority is satisfied that the proposed access strategy is acceptable subject to an appropriate and robust signage strategy. This needs to include signage on the strategic highway network to reduce trips associated with the development site using local, residential roads and instead using the strategic road network.

#### Northern access – in East Hampshire

7.186 The proposed access to the north comprises a ghost-island priority junction onto the B2149. The Highway Authority previously commented on the Independent Road Safety Audit Stage 1 (RSA1) which was submitted by the applicant to accompany the access proposal. The RSA1 raised concerns over the access, which were mirrored by the Highway Authority, and related to the existing overtaking accident history on the B2149 and the lack of forward visibility when approaching the junction. The RSA1 concluded that the following measures should be investigated:

- alterations to the vertical alignment of the B2149
- relocation of the junction
- a reduction in speed limit with supporting measures to ensure compliance.

7.187 The Highway Authority have ruled out the reduction in speed limit due to the nature of the existing road network, given its rural feel and existing recorded speeds. It is noted that speed limits are proposed to be reduced on parts of the B2149, as part of the package of highway measures associated with the Land East of Horndean development. However, the highway network at this point is in a more urban area, and the reduction of speed was considered appropriate in this context, and as such is a different context to the stretch of highway by the proposed northern access.

7.188 An access optioneering exercise has been submitted. The report contains six access options along the B2149 and considers each against certain criteria, namely engineering, environment and project drivers. Each access was given a score based on high level appraisal and the proposed northern access was considered to be the most appropriate.

7.189 A further two further options, one through the land to the south-east of the Land East of Horndean development has been discounted due to third party land constraints and unknown ecological impact, which could not be overcome through the planning process. Another access to the south of the proposed access would sever the ancient woodland making it difficult for forestry management and it would result in a greater

loss of the designated ancient woodland. It was, therefore, considered that in order to achieve the agreed access strategy, the proposed access would need to be progressed.

- 7.190 The proposed junction form has also been considered by the applicant and the Highway Authority in detail and would be based on relevant guidance and the ability to provide an appropriate design. The junction design is discussed further within this section. The junction design has been based on what is appropriate to daily vehicle flows on the B2149. Based on this data, the appropriate junction form is that of a ghost-island right turn lane as proposed.
- 7.191 Two Departure from Standards (DfS) submissions have been applied for by the applicant, to the Highway Authority, which is for the visibility on the main carriageway as raised in the RSA1. The vertical alignment of the B2149 as existing, presents a crest and sag on the approach to the proposed access locations and, therefore, stopping sight distances are compromised. As part of the DfS submissions, the applicant proposed mitigation in order to reduce the risks highlighted within the RSA1.
- 7.192 It is proposed that the B2149 would be reprofiled in order to reduce the crest and filling in the sag to provide a flatter gradient, which improves the forward visibility on the main carriageway. The applicant has stated that the reprofiling would not result in any further impact on tree loss, however this would need to be controlled through appropriate controls by way of condition and legal agreement, to ensure that the mitigation measures are deliverable.
- 7.193 It is acknowledged that the B2149 experiences movement due to the ground conditions and there would be flexibility within the proposed reprofiling. The Highway Authority have outlined that they would require that the scheme is subject to an extended maintenance period, which would cover the entire construction phase until 12 months after the site becomes operational to the public, or 12 months post construction traffic movements stopping, whichever is the latter. This would include, but not be limited to, monitoring any movement of the B2149, which would need to be rectified by the applicant should movement occur within the maintenance period.
- 7.194 A total of seven collisions (two serious and five slight) were recorded along the B2419 and four of the collisions involved overtaking vehicles. The proposed northern vehicular access includes measures which would restrict overtaking manoeuvres along this section of the B2149. In order to reduce overtaking opportunities, it has been proposed that traffic islands would be provided north and south of the access junction. Additionally, a solid white line would be painted on the B2149, which restricts vehicles from overtaking.
- 7.195 The proposed visibility of the northern junction has been based on recorded speeds and takes the gradient of the road into account. The plan shows that visibility can be achieved within the public highway and land controlled by the applicant. The applicant has also submitted long sections of the visibility splays which shows that the crest and sag of the B2149, in this instance, does not impact the splays. The land required for the visibility splays that sits outside the current highway boundary would need to be dedicated as Highway as part of the Section 278 process.
- 7.196 The Highway Authority has outlined that they are satisfied that the proposed northern access can be delivered subject to further detailed design, which would need to satisfy Hampshire County Council's Section 278 design check process. The detailed design process would ensure that the vertical reprofiling of the B2149 can be achieved, as set out by the applicant, without the need for tree loss. Should this not be achieved, either

the reprofiling cannot be implemented as stated or if it results in tree loss, the applicant would not be able to proceed with implementing the junction and would be required to revisit planning approval for access.

- 7.197 The access must be constructed prior to any commencement on site and may be subject to traffic management measures through the construction period to better manage access for HGV movements. These matters would be controlled through conditions and obligations, to ensure the northern access can be constructed to the satisfaction of the Highway Authority, including the proposed reprofiling is undertaken.

*Southern access – in Havant*

- 7.198 The southern access is proposed in the form of a priority junction from Swanmore Road. The Highway Authority initially raised concern with regard to the access, and required further information on the following matters:

- on-street parking near the junction may restrict visibility splays
- bridleway 121 would be impacted by the proposed junction
- underlying accident trend on Swanmore Road.

- 7.199 The applicant has agreed to a Traffic Regulation Order payment to restrict parking within the visibility splays of the junction and would be secured through a Section 106 legal agreement.

- 7.200 Bridleway 121 would need to be altered, given the junction location. The proposed alterations to the Bridleway would capture cyclists using the Swanmore Road access by introducing dropped kerbs to join a shared footway/cycleway into the site on the northern side of the junction. A footway would be provided between the proposed site and the bus stop to the north of the access. This ties the access point to the west into the existing footway provision in Swanmore Road. To the south of the access an additional footway connection would be provided from the bus stop to the south of the existing vehicle maintenance access point. This access point would become the primary pedestrian and cycle access point to the site from Swanmore Road and tie internally directly into the shared use provision within the site.

- 7.201 Bridleway 121 along the western boundary of the site would cross the internal access road further within the site at an appropriate point to be agreed through reserved matters.

- 7.202 Having regard to the above, the Highway Authority is satisfied that the southern access junction can be delivered. It would be subject to further detailed design through Hampshire County Council's Section 278 design check process. The access would need to be in prior to any commencement of any phase on site that requires access via Swanmore Road. As per the northern access, there may need to be additional traffic management measures through the CTMP, which would restrict access to the public.

*Through route – rat-running*

- 7.203 Concerns have been raised over the potential use of this as a through route or a rat-run once operational, as it is likely during peak times that the route would be quicker for some road users than the existing highway routes. The applicant has agreed to implement a barrier system, and this would be secured through the condition. It is also noted that the applicant has stated that the internal access roads and car park strategy, which are matters to be dealt with at a later stage, may include altering the widths of the access road from the southern access junction that would discourage

through-traffic by design.

#### Parking

- 7.204 Both Council's adopted car parking standards SPDs set out parking requirements. However, neither adopted standard has a category for this type of development i.e. a reservoir, with associated use facilities. As such, the applicant has provided evidence of examples of similar developments in the country. The proposal includes visitor car park comprising 193 car parking spaces and between 70 and 75 overflow spaces, plus spaces for staff, coach/minibus and disabled drivers sited to the north-west of the reservoir, and located within Havant. It is considered that based on this evidence that the level of parking proposed is appropriate.
- 7.205 Concerns were raised previously regarding the potential for on-street parking, especially within the Leigh Park area in the vicinity of the southern access, or other pedestrian/cycle connection points to the site. The applicant has confirmed that they are willing to provide a financial contribution of £24,000 to cover costs of implementing parking restrictions through a Traffic Regulation Order, as required to prevent nuisance parking. This includes parking measures on Swanmore Road which is highlighted above in the Southern Access section.

#### Cycle parking

- 7.206 Cycle parking would be considered in subsequent reserved matters application. Given the proposed use and that the proposal includes cycle routes, a strategy to provide an appropriate level of cycle parking across the site would need to be provided, ensuring that it is interlinked with sustainable access strategy.

#### Junction Assessment

- 7.207 The impact of the development on the highway network and surrounding junctions has been considered in detail up to 2029, which is when the applicant has outlined that the reservoir would be opening and fully operational. In addition, consideration has been given to specific developments within the immediate vicinity of the site. Traffic flows from the nearby developments of Land East of Horndean - 55562/005 and Dunsbury Hill Farm - APP/12/00338 have been included within the future baseline flows.
- 7.208 The junctions which have been assessed based on the information to date and are included within the TA are:
- Dell Piece East/B4129 Roundabout
  - northern Site Access/B4219
  - southern Site Access/Swanmore Road
  - Swanmore Road/Middle Park Way Priority Junction
  - Woolston Road/Middle Park Way Mini Roundabout
  - Purbrook Way/Middle Park Way Roundabout.
- 7.209 The trip distribution outlines that the Southern Site access/Swanmore Road, Dell Piece East/B4129 roundabout, Swanmore Road/Middle Park Way Priority junction and Woolston Road/Middle Park Way mini roundabout would not have a significant increase in trips through the junctions.
- 7.210 It is shown through the modelling that there would be enough spare capacity in the 2029 with development future year scenario through the following junctions:
- Dell Piece East/B2149 (with Land East of Horndean improvements)
  - Swanmore Road/Middle Park Way junction
  - the Middle Park/Woolston Road mini roundabout.



7.211 The Middle Park Way/Purbrook Way roundabout modelling shows that there is an arm which operates over theoretical capacity in the PM peak and the Saturday peak. This proposal would result in a delay of six seconds on the Purbrook Way East arm. The 2029 with development scenario shows a very minor increase, resulting in a one additional second delay as a result of the trips associated with this site. The Highway Authority is, therefore, satisfied that the operational traffic associated with this site would not result in a significant impact on the local highway network.

#### Construction Phase

7.212 A Framework Construction Traffic Management Plan has been submitted by the applicant which covers both the reservoir construction and pipeline elements of the development. The Framework CTMP outlines measures, some detailed above, which aim to reduce the impact that associated construction vehicles would have on the local highway network. The Construction Traffic Management Plan would be secured through condition which provides further detailed plans/information on the measures within the Framework CTMP.

7.213 The applicant has set out that the Construction Traffic Management Plan would include the following:

- vehicle routing plans
- proposed programme and duration
- number of construction personnel including travel arrangements and mitigation where necessary
- alterations to the highway, including temporary and / or permanent, to enable construction
- details of the number of construction and delivery vehicles using the public highway (no abnormal loads are anticipated at this stage)
- traffic management details
- compounds and laydown area details
- highway condition surveys
- methods for managing the site to prevent mud onto the highway
- details of on-site contractor parking.

7.214 The construction phasing of the reservoir would be a dynamic and live document throughout the construction period. It would be important for the applicant to continue dialogue with the Highway Authority and Local Planning Authorities to ensure measures are agreed prior to significant periods of HGV and staff traffic. This should also work alongside and compliment any traffic management arrangements for other committed developments and their CTMP.

#### Trip Generation

7.215 The Highway Authority sought clarity from the applicant on how the trips would arrive throughout the day and whether any restrictions are to be applied to the site to control HGV arrivals. The further information provided highlighted that that at the peak of construction starting 2023, there would be circa 200 two-way HGV movements per day and 250 smaller vehicles per day accessing the site with regards the reservoir construction. There would then be an additional 30 HGV movements associated with the pipeline works at 270 LGV and car movements in relation to these works.

7.216 A Framework Construction Traffic Management Plan has been submitted, which contains measures, but is not limited to, to restrict the movement of HGV and staff trips for both the construction of the reservoir and the pipeline through the traditional peak times of 08:00-09:00 and 17:00-18:00 across the local road network. Where school drop off and pick up movements, both vehicular and active travel modes, are impacted

HGV trips would be limited to arriving/departing outside of this window.

- 7.217 In addition to this, the applicant has agreed that HGV movements during weekdays would be restricted to 32 (16 arrivals and 16 departures) per hour with no more than 200 in a day (100 arrivals and 100 departures). On Saturday's HGV movements would be restricted to 32 per hour (16 arrivals and 16 departures) between 9am and 1pm.
- 7.218 Staff and contractors working on the construction of the reservoir would be restricted to 125 and would arrive and depart the site outside of the peak hours.

#### Construction routing

- 7.219 The construction routing HGV and staff trips has been agreed to be from the A3(M) - Junction 2 – B2149 – Northern Site Access and vice versa for HGV and staff trips leaving the site. Due to the length of construction period and number of vehicles associated with the construction phase, the applicant has committed, through the CTMP, that any defects on the construction routes caused by HGV traffic associated from the development site would be made good.
- 7.220 The Framework CTMP outlines that the applicant would agree, with the Highway Authority, a programme for periodical condition surveys and triggers for any remedial or interim remedial works to the highway that are needed.
- 7.221 The applicant has acknowledged committed schemes in the area, namely Aquind Interconnector and Land East of Horndean development, and would engage with both developers to ensure the impact of all three developments is minimised where possible, specifically at the A3(M) junction 2.

#### Junction Assessment

- 7.222 Prior to the agreement of all construction related trips arriving and departing the site outside the peak hours the Highway Authority raised concerns over the operation of the local road network due to the localised routing of traffic associated with construction. The study area was agreed to be the proposed northern access to the A3(M) J2, which should include the new and improved junctions being implemented as part of the Land East of Horndean development. It should be noted that this only relates to staff worker trips and does not relate to HGV movements which were always considered to be undertaken outside the peak hours.
- 7.223 The applicant has provided a Technical Note which presents the following junctions have been modelled using industry standard software:
- A3 (M) Junction 2 with Land East of Horndean Signalisation Improvement Scheme
  - Dell Piece East/Havant Road/Land East of Horndean Access Roundabout
  - B2149/East and West Accesses to the Land East of Horndean Development Roundabout.
- 7.224 To undertake modelling in the future year scenario assessments, industry standard growth factors have been used. In addition to this, the applicant has included Land East of Horndean construction staff traffic of 60 trips in the AM and PM peak respectively. and the following scenarios have been modelled:
- 2023 Base
  - 2023 Base + Construction Staff Trips
  - 2026 Base
  - 2026 Base + Construction Staff Trips.

The future years of 2023 and 2026 have been used as these represent the start and

end of the peak construction period of the reservoir site.

A3 (M) Junction 2 with Land East of Horndean Signalisation Improvement Scheme

- 7.225 The impacts on this junction has been assessed using industry standard measures, these shows that in the 2026 baseline + development scenario in the PM peak shows that the junction would operate within capacity. The arm which is most impacted is the south right ahead arm on the circulatory, which indicates that queuing traffic may not be cleared after each green signal. The results show that the junction does still operate within theoretical capacity and whilst the construction staff traffic does worsen the operation of the junction, it would not result in a significant impact and delay on the local road network.

Dell Piece East/Havant Road/Land East of Horndean Access Roundabout

- 7.226 In the 2026 baseline + development scenario and shows that the junction would operate within capacity on the Dell Piece East arm in the AM peak hour, with the development resulting in a delay of 5 seconds.

B2149/East and West Accesses to the Land East of Horndean Development Roundabout

- 7.227 In the 2026 baseline + development scenario and shows that the junction would operate within capacity on the Havant Road North arm in the AM peak hour and with the development resulting in a delay of six seconds.
- 7.228 Notwithstanding the above assessment results, it is acknowledged that the modelling represents the worst-case scenario of all staff arriving in separate vehicles to the site within the identified peak period. The CTMP and the Travel Plan would reduce travel to the site within the peak hour periods and, therefore, the Highway Authority is satisfied that the construction traffic would not result in a severe impact on the local highway network, subject to the aforementioned mitigation in the form of CTMP and Travel Plan.

Travel Plan

- 7.229 An Outline Framework Work Place Travel Plan has been provided by the applicant to reduce the number of staff vehicle movements and promote sustainable travel modes if they are local or car/minibus share if from afar. The Highway Authority is satisfied that through continued dialogue, once further details on the contractors and staff to be used to operate at this site are known, a full Travel Plan would be provided prior to any development commencement on site.
- 7.230 Taking all these highway factors together it is considered that the site is sustainable in transport terms, subject to the mitigation measures proposed and S106 and conditional requirements. The application proposes several enhancements to pedestrian, cycle users, and would provide an acceptable replacement Public Right of Way (Bridleway). Overall, the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused. It is clear in paragraph 109 of the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Following the implementation of the agreed mitigation proposals required by legal agreement and conditions, which are considered to mitigate the impact of the development on the highway network. Therefore, a reason for refusal on this basis could not be justified.

**(vi) Impact on flood risk, hydrology and hydro-geology**

- 7.231 The NPPF advises the planning system should support the transition to a low carbon

future in a changing climate, taking full account of flood risk and coastal change, in line with the objectives of the Climate Change Act 2008 (paragraph 149). At a local level, policy on flood risk is outlined in HBC Policy CS15, draft Policy E19, EHDC Policy CP25 and draft Policy S25. In addition, HBC Policy CS18, draft Policy KP9 and EHDC draft Policy S31 seek a flood risk assessment of the scheme and mitigation put in place to minimise risks.

7.232 With regards to water quality, EHDC Policy CP26 seeks to protect the quality and quantity of water. EHDC draft Policy DM29 states *"New development will be required to incorporate well designed mitigation measures to ensure the water environment does not deteriorate, both during construction and during the lifetime of the development to ensure the Water Framework objectives are not compromised and any development meets the requirements of the Habitats Directive"*.

7.233 The assessment of the scheme on the water environment is provided in Chapter 15 of the ES, which includes a detailed Flood Risk Assessment (FRA). This section firstly considers whether the location of the development is appropriate, in accordance with guidance relating to the flood sequential and exception tests. This report then considers the impact on the water environment, including flood risk from the development, in terms of impacts during construction and the operation of the reservoir and pipeline.

#### Sequential and exception test

7.234 The red line boundary of the reservoir site is approximately 395 hectares, and the red line boundary of the Bedhampton to Havant pipeline is approximately 21 hectares. Whilst the majority of the reservoir site is in flood zone 1, which has the lowest probability of flooding, parts of both the reservoir site and pipeline are in flood zones 2 and 3, which have a high risk of flooding.

7.235 As parts of the site are at high risk of flooding, being located in flood zones 2 and 3. The NPPF assigns vulnerability type to land use. The vulnerability types range from water-compatible to essential infrastructure. The land use changes across the site. The main developments are classed as the following:

- Reservoir embankment = essential infrastructure
- pipeline = essential infrastructure
- control house = essential infrastructure
- visitor centre = less vulnerable
- educational hides = less vulnerable.

7.236 A development is always classified based on the most vulnerable element/s. Havant Thicket reservoir is classed as essential infrastructure and can be compatible with a high risk of flooding (flood zone 3), subject to appropriate mitigation. However, the proposals must satisfy both the sequential and exception tests, as set out in the NPPF, for development to be permitted. These tests are considered below.

7.237 In this case, the requirements of the sequential test should be considered alongside the wider available and suitable land for a reservoir, as outlined in the principle of development including need and proposed location section of this report. In addition, this site is allocated in the development plans for a reservoir. As such the proposal is compliant with the sequential test.

7.238 As the site is allocated for a reservoir in the adopted plans, government guidance outlines that an exception test is not required both due to the nature of the

development and that it complies with adopted policy.

Impact on water environment

- 7.239 This development needs to be read in context of the water environment, the whole purpose of the scheme is to reduce abstraction from the nearby River Itchen, designated as a Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) and the River Test (SSSI) - whilst maintaining a resilient water supply to the area.
- 7.240 The proposal is supported by an Outline Biodiversity Mitigation and Compensation Plan, which is been produced following detailed negotiations with both Natural England and the Environment Agency. As part of this proposal the reservoir would result in the creation of new habitats of ecological value - particularly the wetland along the northern edge of the reservoir as well as approximately 100m additional stream length to the east of the reservoir.
- 7.241 In addition, there would be further benefits to the Riders Lane Stream and Hermitage Stream as a result of a more consistent compensation flow regime from the reservoir, which would improve the current intermittent flows within these water bodies. In addition, the reservoir and associated pipeline would have benefits downstream, in terms of flood risk, by reducing the volume and frequency of peak water flows during flooding events.
- 7.242 Furthermore the water quality discharged from the reservoir into the Riders and Hermitage Streams would be of more consistent quality. Improvements, and associated reductions, in nutrient levels which would be of significant benefit downstream where it enters into Langstone Harbour - a sensitive designated site, which is a Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Scientific Interest (SSSI), and Ramsar.
- 7.243 However, the scheme would result in the loss of 3.7 km of headwater stream habitats, from the reservoir site and would result in a permanent effect on aquatic habitat connectivity and geomorphology in the river system. There would also be permanent change to the outline of superficial aquifers as a result of the presence of the reservoir.

Water Framework Directive (WFD)

- 7.244 The environmental objectives of the WFD are set out in Article 4 of the directive and relate to... *ensuring the continued protection of the condition of all waterbodies and the development of plans to deliver measures to improve failing water bodies to a good condition (or better).*
- 7.245 The two key objectives against which new developments or schemes should be assessed are:
- No deterioration of status (or potential) for surface and groundwaters
  - achievement of good status (or potential) by 2021 or 2027, for waterbodies currently failing to achieve this status or potential.
- 7.246 WFD compliance assessments for new developments and schemes must demonstrate that the proposals would not result in the deterioration in status (or potential) of any water body. Where a waterbody is at a status less than good (or potential), it must be demonstrated that the implementation of the proposals would not prevent the water body from meeting good status (or potential) in the future.
- 7.247 Following the completion of a WFD compliance assessment, Havant Thicket reservoir

was deemed to have the potential to cause deterioration of the impacted water body of Riders Lane Stream, which is part of the Hermitage Stream. The main area of concern relates to the construction of the embankment and reservoir footprint. The resulting loss of habitat is significant with the direct loss of 3.7km of headwater habitat within Riders Lane Stream. The length of watercourse lost would account for approximately 42% of headwaters and 18% of the entire length of watercourse within the water body.

- 7.248 The WFD uses the term "quality elements" to refer to the different indicators of ecological quality comprising its ecological status classification schemes. The quality elements used to assess ecological status are biological, chemical and physicochemical, and hydromorphological quality elements.
- 7.249 The assessment identified that both biological and hydromorphological WFD quality elements were at risk of deterioration. Specifically, invertebrates, macrophytes, phytobenthos and hydromorphology. A deterioration of any one, or more quality elements can cause an overall deterioration and lowering of class status at the water body scale, this is contrary to the objectives of WFD.
- 7.250 The WFD precludes the authorisation of individual projects which may cause the deterioration of the status of a body of water, unless a derogation under article 4.7 of the WFD is justified. As such, whilst the identified compensation and mitigation measures would be undertaken, there does remain potential for deterioration of the water downstream, which is a Water Framework Directive (WFD) qualifying waterbody.
- 7.251 The four WFD derogation tests that must be satisfied are:
- Test (a): All practicable steps are to be taken to mitigate the adverse impacts on the water body concerned
  - test (b): The reasons for modifications or alterations are specifically set out and explained in the RBMP (River Basin Management Plan);
  - test (c)(1): There is an overriding public interest in the Proposed Development and/or  
test (c)(2): Its benefits outweigh the benefits of the WFD objectives
  - test (d): The benefits of the project cannot be achieved by a significantly better environmental option.
- 7.252 The WFD Article 4.7 assessment (document reference - HTR-ATK-XX-XX-RP-2-0067) describes the outcome of this process. A framework approach demonstrating how the scheme would meet the four tests has been discussed between the Environment Agency (EA) and the applicant and accompanies the planning applications. These discussions identified a long list of practicable measures that would be appropriate to fulfil article 4.7 test (a). The EA have agreed that these measures are sufficient for the purposes of fulfilling the Article 4.7 derogation.
- 7.253 Following the above process, a shortlisting exercise has been undertaken to identify the deliverable options and the appropriate level of mitigation and compensation required for the watercourses impacted by the scheme. The agreed package, for the water environment includes both on-site and off-site mitigation, and compensation totalling up to 5.5km of watercourse improvement.
- 7.254 The on-site mitigation and compensation plan (approximately 1.57km) concentrates efforts in the headwater streams upstream of the reservoir.
- 7.255 The off-site mitigation and compensation are spread across the wider catchment and includes the following measures:

- Riders Lane Stream (part of the Lake Stream) (approximately 0.45km)
- Hermitage Stream (approximately 2.99km)
- Park Lane Stream (approximately 0.47km)
- improvements along Lake Stream would provide mitigation for distinct species lost under the scheme's footprint.

7.256 The package of measures includes restoration of the Hermitage Stream. The measures proposed are based upon feasibility and design work undertaken jointly by Havant Borough Council and Environment Agency in 2013. The EA have shared this information that was compiled at the time with Portsmouth Water, including drawings and costings. The mitigation and compensation measures agreed as part of the water environment package would be in keeping with the design work previously undertaken, including the removal of concrete bed and banks, which would enable the naturalisation of the waterbody again, and allowing the flow of the to be slowed through ecological enhancements, thus naturally reducing flood risk.

7.257 The EA, in agreeing the package of mitigation and compensation with Portsmouth Water, have identified measures that are both environmentally sound and appropriate for the scale of loss that would result from the development. The impacts that have been identified cannot be readily mitigated or compensated for, due to the distinctiveness of the habitat, meaning the habitat to be lost cannot be recreated. Therefore, it is considered that the package of measures, once implemented, would provide a joined-up network of quality habitat improvements that would mitigate and compensate against the high value conservation habitat lost from the scheme.

7.258 In summary, the EA have advised that this package provides sufficient length of watercourse improvement (5.5km) and an appropriate balance of measures to satisfy both the article 4.7 requirements and Biodiversity Net Gain commitments. The proposal would only be acceptable and compliant under the Water Framework Directive once the mitigation and compensation package of measures has been secured - these measures would be secured by a legal agreement.

#### Flood risk

7.259 The application is accompanied by a comprehensive Flood Risk Assessment (FRA), which considered the impact of the development from construction through to operation. The FRA considers the impacts of fluvial, tidal and surface water flooding. In addition, it considers the impact of artificial flood risk, which is that created by the reservoir and pipeline itself, and the proposed mitigation measures. This element of the report will outline:

- the permanent and construction elements of the scheme
- operational and construction flood risk impacts
- managing associated flood risk.

#### The permanent and construction elements of the scheme- Reservoir

7.260 The total capacity of the reservoir is 9,320Ml including borrow pits but not including water below lowest draw-off level or retained in the wetland. The proposed Top Water Level (TWL) of the reservoir is 39.5m Above Ordnance Datum (AOD), and the lowest operating level is 27.5m AOD. The lowest level is 20% of the total volume and considered dead storage, which is the minimum level before the reservoir operationally fails. The embankment is 2,770m long with a maximum height of 20m and an embankment crest level of 40.5m AOD. This is 1m above the maximum water level and, therefore, there is 1m of freeboard, which is the vertical distance between the top of the dam and the full supply level on the reservoir.

- 7.261 The spillway is at 39.5m AOD and is designed to be a 3m long weir, with a 700mm diameter pipe. This pipe would feed back into the Riders Lane Stream. The embankment would have a toe drain around the southern edge, which would collect the surface water runoff from the embankment and channel it into either the Riders Lane Stream or the River Lavant. A small section of the Riders Lane Stream catchment would be diverted out of the catchment and into the Lavant Headwaters.

#### Wetland retaining structure

- 7.262 The wetland retaining structure is proposed to extend for approximately 1.3km along the northern shoreline at a distance 60-80m away from where the TWL of the reservoir. This is planned to facilitate wetland habitat development, providing resilience as reservoir level changes and to ensure a viable habitat that meets biodiversity net gain requirements, which have been considered previously in this report.
- 7.263 At TWL (39.5m AOD) the wetland area would be approximately 10.2ha, however at retained water level (38.8m AOD) it would reduce to approximately 6.8ha. The retained wetland level is when the retaining structure starts to hold back water within the wetland area as reservoir level fall. The water level in the wetland would be actively managed through the provision of piped controls at strategic locations along the retention structure. These connect the retained wetland to the main body of the reservoir at naturally occurring low points in the topography.

#### Control house

- 7.264 The control house, located to the edge of Round Wood, would be a single-storey building, partially embedded into the southern side of the embankment. It is designed to have level access. This would control the culvert running through the embankment which would be used to discharge water from the reservoir, and control the valves associated with drawdown the reservoir in an emergency. The control house would enable the flow of water to be controlled and monitored, which would improve the flow of water going into the bodies and reduce flood risk further downstream.

#### Construction

- 7.265 During construction, there would be disturbance to the downstream flow within the Riders Lane Stream Headwaters. Mitigation measures have, therefore, been proposed:
- Constructing the wetland retaining structure first, in order to intercept and manage inflows from the three streams within the site. The flow within the wetland would be managed by a series of culverts from and between each 'compartment'. These would have valve/sluice controls
  - three cofferdams would be constructed while the retaining structure is built. Where these are installed, the stream flow would need to be transported downstream beyond the footprint of the reservoir to re-join Riders Lane Stream
  - the flow of water would need to be managed to ensure that flows downstream do not increase or decrease and cause adverse effects on the waterbodies. This would be confirmed at the Reserved Matters detailed design stage. However, the assumptions based in the submitted modelling outline that these flows and volumes would be conveyed downstream to the reservoir embankment and into the Riders Lane Stream, consistent with existing conditions
  - the River Lavant headwaters would also be temporarily diverted to the spillway location where it would be drained into the Riders Lane Stream via a culvert
  - in order to facilitate a construction access road, two culverts on the headwater streams would need to be replaced. These would be confirmed during the Reserved Matters detailed design stage. However, they would be sized appropriately for the anticipated flood flows and include a trash screen to allow



- vegetation clearance from the track
- The control house would be built at the same time as the embankment.

Visitor centre, car park and access road – Permanent scheme elements

- 7.266 At the north-west of the site, a visitor centre, educational hide and car park would be constructed. The visitor centre has an approximate internal area of 620m<sup>2</sup> and would include a reception, shop, toilets, staff facilities (office, staff room, staff toilets), a café and kitchen, and educational facilities including a classroom. To maximise the visitor experience and the connection with water and nature, the centre would be positioned in the water and surrounded by the wetland environment. The educational bird hide would have an approximate internal area of 70 m<sup>2</sup>.
- 7.267 The drainage design for this area of the development site would be developed at the Reserved Matters detailed design stage, but would include Sustainable Urban Drainage Systems (SuDS) principles and would ensure that there is no increase in surface water runoff up to and including climate change allowance.
- 7.268 The construction of the visitor centre, car park and access roads, would increase the impermeable surfaces on the site. Again, this would be dealt with at Reserved Matters detailed design stage, which would need to ensure that there is no increase in runoff rates during construction. The construction of the visitor centre and associated facilities is scheduled for whilst the reservoir is being filled.

Pipeline Corridor

- 7.269 Whilst this is the subject of the parallel application APP/20/00991, and within Havant Borough, as these two applications are inextricably linked details have been provided within this report. The reservoir would operate as a pumped storage reservoir utilising surplus water from the Havant & Bedhampton Spring source. A bi-directional pipeline (4.4 km) is, therefore, required to allow for the transfer and discharge of water between the Bedhampton Springs and the reservoir.
- 7.270 The same pipeline would also provide a conduit to convey part of the drawdown flow that is not discharged into the Riders Lane Stream. This flow is to be conveyed over halfway along the route, into the Hermitage Stream near its confluence with the Riders Lane Stream. This discharge facility can reduce the water level in the reservoir in line with the requirements of the Environment Agency Guide to Drawdown Capacity for Reservoir Safety and Emergency Planning.
- 7.271 The sizing of the conduit has been analysed, in relation to the flow rate passed down it, within a study on the Emergency Drawdown scenario. The maximum emergency drawdown rate from the reservoir in accordance with Environment Agency guidance has been calculated as 10.9m<sup>3</sup>/s, which would allow the reservoir top water level to be drained down by 900mm in depth over a 24-hour period, allowing the reservoir to be lowered by a third of its water depth in six days.
- 7.272 The total discharge rate from the reservoir in addition would be split to allow a 7.05m<sup>3</sup>/s discharge to the Riders Lane Stream directly downstream of the reservoir embankment, and 3.85m<sup>3</sup>/s discharge to the Hermitage Stream approximately 2km downstream from the reservoir. In order for the Riders Lane Stream to receive these emergency drawdown flows without increasing flood risk, three culverts are proposed, to replace the existing culverts in the river system.
- 7.273 The pipeline includes a 700mm diameter pipe (1,650m in length) for normal pump-and-return flows with this increased to 1,200mm diameter (2,750m in length) for the section where it is to accommodate the emergency drawdown flow from the reservoir site to

the Emergency Drawdown Valve. The location of the Emergency Drawdown Valve is not fixed at this point, as this would be considered at Reserved Matters stage; however, they would be located on the Hermitage Stream upstream of the Riders Lane Stream confluence and Purbrook Way. The locations would be selected considering geomorphology modelling, flood modelling and aquatic/ecological assessment. It is expected that the valve would be housed in a concrete structure adjacent to the watercourse.

#### Managing flood risk

- 7.274 The applicant has worked closely with both the Environment Agency and the Local Lead Flood Authority in terms of formulating appropriate strategies to manage and mitigating flood risk from this development. Most of the mitigation required to safely manage flood risk are already embedded in the construction and scheme design. This includes measures such as pipes, culverts and flumes to ensure the continued pass forward of flows downstream in line with current flow regimes. These would all be of appropriate size to ensure there is no increase in fluvial flood risk. The following paragraphs outline the package of measures required in more detail.

#### Drainage management plan

- 7.275 A drainage management plan would be prepared for the scheme as part of the Detailed Reserved Matters application. This would include details such as design standards, pollution control/interception, outfall locations, earthworks, access roads and haulage routes and surface water drains. It would also include details of how increased surface water runoff from new areas of hardstanding, such as from access roads, visitor centre and car parks, and how these would be managed to ensure no increase in flood risk. Sustainable Drainage Systems (SuDS) would be included in the drainage design. It would also include details of how the construction compounds would safely manage surface water flows in line with Environment Agency guidance.

#### Construction Environmental Management Plan

- 7.276 A construction environment management plan (CEMP) would be prepared for the scheme. This would include a process for managing the volume and quality of discharge of water for the construction compound, areas used for construction use, other areas of hard standing and haulage roads, which would discharge into the site water management systems via shut-off sluice valves. This document would also make provision for attenuating surface water runoff generated as part of the reservoir and pipeline construction, which has additional benefits of better management of water quality, and the associated nutrient input into Langstone Harbour.
- 7.277 The proposed mitigation in line with best practicable measures and construction environmental management procedures are set out in the Outline Environmental Management Plan (OEMP), which would form the basis for the production of the CEMP. In addition, the Record of Environmental Actions and Commitments (REAC) identifies the commitments to address potential flood risk effects of the construction of the scheme.

#### Environmental Permits

- 7.278 In addition to the above requirements, permits would be required, as required under other legislation. These include:
- An Environmental Permit from the Environment Agency would also be required to allow any controlled discharges to the Riders Lane Stream, Hermitage Stream and Lavant Stream
  - a Flood Risk Activity Permit (FRAP), from the Environment Agency, as the application sites designated main rivers, such as the Hermitage and Riders Streams, and areas that are in Flood Zones 2 and 3. As such the construction of

the pipeline corridor, culvert engineering works and construction compound would require a FRAP

- works within 8m of an Ordinary Watercourse, for example, the pipeline construction crossing the Lake Stream and/or the culvert improvements under the construction access road for the headwaters to the Riders Lane Stream, would require an Ordinary Watercourse consent from the LLFA.

#### Operational maintenance

- 7.279 Havant Thicket reservoir would be regulated under the Reservoirs Act 1975 as amended by the Flood and Water Management Act 2010, which was set to promote the safety of large raised reservoirs. As required by the legislation, the reservoir has been designed and would be constructed under the supervision of an All Reservoirs Panel Engineer (as the Construction Engineer) and during operation a Supervising Engineer would do regular visits (twice a year typically) and prepare an annual statement. An Inspection Engineer would inspect the reservoir at least every 10 years, or when requested by the Supervising Engineer. Following the inspection, the Inspection Engineer in their report can identify “measures in the interests of safety” which must be addressed by Portsmouth Water.
- 7.280 The testing of the emergency discharge valves would be undertaken twice per year, in line with the requirements of the Reservoirs Act (1975), and the Environment Agency Guidance for Drawdown Capacity (Environment Agency, 2017). The configuration of the control and submerged valves permits testing of each under full head, without a discharge at design capacity. This regular maintenance and testing is required to ensure the continued safe operation of the reservoir and Emergency Drawdown Strategy. Full testing of the ‘emergency drawdown’ system, up to the capacity of the watercourses, would be tested on commissioning of the reservoir. Further details of this emergency drawdown scenario are considered further below.
- 7.281 The Reservoirs Act 1975 ensures that reservoir operators are legally responsible for ensuring that the stringent safety measures are met through regular maintenance of the reservoir assets, such as the embankment, spillway, control system and drawdown infrastructure. With these measures in place, the risk of embankment failure and reservoir beach are highly unlikely.
- 7.282 However, the consequence of a breach has been modelled to understand the flood risk associated with a failure of the reservoir embankment. A single breach location has been considered on the southern face of the embankment, approximately at the natural/existing path of the Riders Lane Stream. This location is selected at the lowest section in the surrounding topography (the valley for the stream), and thus at this location the embankment is at its highest. This provides the worst-case scenario by releasing the entire volume of the reservoir, excluding the volume retained in the wetland. This is also considered the most likely point of failure, since it is the location of the control structure/outfall.
- 7.283 The results show that if a breach were to occur then there would be a wide-ranging flood extent that covers most of the urban centre of Havant, Leigh Park and Langstone. However as outlined above, this scenario is never anticipated as the reservoir is designed and maintained never to breach, and this is the worst case-scenario without appropriate mitigation and emergency plans. Following a reservoir inspection by a Panel Engineer, if a breach is considered likely, an ‘Emergency Drawdown Strategy’ would be implemented to avoid a breach of the embankment and significantly reduce the volume held in the reservoir.

#### Emergency Drawdown Strategy

- 7.284 As discussed above, the pipeline that pumps surplus water from the Bedhampton spring source, would also be used to provide an Emergency Drawdown facility to safely reduce the water level in the reservoir - in line with the requirements of the Environment Agency Guide to Drawdown Capacity for Reservoir Safety and Emergency Planning.
- 7.285 If early signs of internal erosion are identified, the emergency drawdown system provides a means to lower a reservoir's level quickly. This may be a precautionary measure while the problem is investigated, or an emergency measure. In either case, the primary objective would be to reduce the load on the dam, and thereby arrest the internal erosion which has already initiated, or is at high risk of initiating, and prevent it from developing. If this objective cannot be achieved, then partial drawdown would allow time to make repairs, or evacuate downstream, or employ other techniques to avert failure. In the very worst outcome, the intervention of drawdown would reduce the consequences of failure by reducing the volume of water released in a breach event.
- 7.286 The maximum drawdown rate from the reservoir in accordance with Environment Agency guidance would allow the reservoir top water level to be drained down by a depth of 900mm over a 24-hour period, this would allow the reservoir capacity to be drained by a third in six days. The Emergency Drawdown would be accommodated through outfall structures into the Riders Lane Stream at the toe of the dam structure and into the Hermitage Stream via a pipe discharging in the vicinity of Purbrook Way, approximately 2km downstream from the reservoir site.
- 7.287 To determine if the capacity of the downstream channels would be sufficient to accommodate the Emergency Drawdown without causing flooding to properties, the proposed flows were simulated in combination with an existing flow condition equivalent to the 10% exceedance flow in each channel, and an extreme tidal flooding event, this approach was agreed with the Environment Agency. In addition to this design test scenario the following sensitivity scenarios were also tested:
- Modelling of a range of fluvial event flows to identify the thresholds for property flooding at key locations
  - testing of whether the waterbodies have sufficient capacity for an emergency event
  - testing of Emergency Drawdown scenario against extreme tidal events, including with an allowance for climate change.
- 7.288 The model results indicate that the emergency drawdown flows into the Riders Lane Stream potentially resulted in four properties upstream of Middle Park Way being at risk of flooding, as well as causing some inundation of Dunsbury Way and Purbrook Way roads/bridges. To mitigate this, enhancements to culverts along the Riders Lane Stream, as outlined earlier in this section, have been included in the scheme design. In addition, Middle Park Way was identified as being at risk of flooding, and this risk is mitigated by the culvert enhancements. The modelling demonstrates that there are no residential properties/dwellings at risk of flooding in this design scenario, however a small number of gardens/sheds (2-3) and one industrial unit are within the modelled extent, showing depths between 0.1-0.2 m. There is no inundation of roads due to the enhanced capacity at the culvert constrictions.

Access condition, flood warning and evacuation

- 7.289 As outlined above during the Emergency Drawdown scenario, there are no residential properties at risk. Although a small section of the industrial unit is potentially at risk of shallow flooding, however there is an alternative route for access and egress via

Dunsbury Way. In the worst-case scenario, due to the unexpected failure of the embankment, in combination with the inability to invoke the Emergency Drawdown strategy there would be very limited warning and ability for evacuation. The breach modelling demonstrates that the following key roads are likely to be out of the flooding zone and would be available to use for evacuation:

- Petersfield Road (B2149)
- western section of Purbrook Way, leading to the A3(M)
- Park Lane, leading south-west and away from the breach extent
- Bedhampton Lane, leading west and away from the breach extent.
- Safe access and egress to/from the Visitor Centre within the site would be provided by the Southern access road.

7.290 If there is a requirement to activate the Emergency Drawdown strategy, and it is unsafe to do so from the Control House, the valves could be operated remotely. Furthermore, piping failure of the reservoir is known to start slowly, and therefore if the embankment structural integrity was compromised, it is likely that there would be significant warning to the reservoir operator. This would not only allow the Emergency Drawdown strategy to be activated, reducing the hydraulic load on the embankment by drawing down the reservoir level (by a third over 6 days), but also give the reservoir operator time, if decided necessary, to evacuate areas of Havant at risk if breach occurred.

7.291 The Department for Environment, Food and Rural Affairs (DEFRA), provides guidance on Reservoir Emergencies, this requires that an off-site plan be developed prior to reservoir operation, which provides a framework of procedures to coordinate a multi-agency response to the off-site consequences of a potential or actual breach. If a dam breach is deemed imminent, the operator is required to raise an alert to the Police, who in turn activate the Plan and instigate the coordination of emergency services, local authorities and other key partners.

#### Overall summary on water environment and flood risk

7.292 In conclusion on this matter, whilst an element of the site is categorised as being within an area of potentially high flood risk, it can be concluded that this proposal meets the requirements of the necessary sequential test through the provision of much needed infrastructure in terms of providing robust and reliable water supply. In the absence of suitable mitigation measures the development would have an impact in terms of flooding and loss of biodiversity. However, the proposed mitigation plans, which includes both on-site and off-site ecological improvements to waterbodies, are considered to provide an appropriate balance of measures to satisfy both the article 4.7 requirements and also Biodiversity Net Gain commitments. In terms of flood risk, the detailed flood risk assessment, including emergency drawdown strategy, have been considered acceptable by the EA and LLFA, subject to further detailed matters being considered at Reserved Matters stage.

#### **(vii) Impact on residential amenity (noise and vibration, air quality)**

7.293 The principal effect on residential amenity is likely to be from noise and vibration initially associated with construction activities and increased traffic during construction phase. It is also anticipated that there may be ongoing impact, albeit lesser so, when operational from visitors. Chapter 8 of the ES considers noise and vibration and provides an appraisal of the likely significant effects at sensitive receptors within 300m of the reservoir and pipeline application sites. These were agreed with the Council's Environmental Health Officer as being representative of the noise sensitive receptors closest to the scheme boundary.

- 7.294 The approach and methods used to predict and assess noise and vibration from the proposed scheme are considered relevant and robust. They reflect good practice and are similar to the approach and methods used for comparable schemes. The choice of approach and methods used generally takes a 'worst case' based approach to predicting and assessing impacts which leads to confidence that the outcomes do not under-estimate the likely noise and vibration effects.
- 7.295 Baseline noise measurements can be regarded as precautionary and the reported data is in the range expected for a mixed rural and edge of settlement location such as this. The limitations and assumptions of the appraisal of the noise and vibration effects are clearly stated and are regarded as making the assessment robust.
- 7.296 The anticipated noise levels from different phases of the construction and operation of the scheme and associated traffic noise, and the resulting change in noise level relative to the baseline, have been predicted using established and ratified methods such as the statutorily approved method for predicting construction noise from BS 5228 and the Department of Transport's Calculation of Road Traffic Noise. Consequently, the predicted impact magnitudes presented within the ES are considered appropriate and subject to minimal uncertainty. The criteria used to assess the significance of impact of construction noise are taken from BS 5228 and generally linked to the existing baseline noise climate. Where earth-moving works would last more than six months however, the ES adopts the substantially more stringent criteria from minerals planning guidance. These criteria are well established and are considered to represent best practice.
- 7.297 The ES states that none of the noise levels from the construction works are predicted to exceed the significance criteria identified. The effect of the noise from the construction phase is further mitigated by the worst-case nature of the noise predictions i.e. in reality the noise levels are likely to be lower than predicted in the ES. The ES reports the residual significant effect of construction noise as being a minor adverse effect and this is considered to be a precautionary (pessimistic) assessment. The ES asserts that the relatively large distances from the works to receptors mean that it is unlikely that vibration from the work would be perceptible at sensitive premises, which are defined as within 20 metres of the application site, no residential properties are located this close to proposed reservoir. The database of vibration measurements from construction work in BS 5228 supports this conclusion, as does the TRL report 429 in regard to vibration from construction works, and the ES's conclusion that significant effects due to vibration associated with the scheme are unlikely.
- 7.298 The significance of effects of noise and vibration from construction traffic has been assessed using the guidelines from the Highway's England's Design Manual for Roads and Bridges (DMRB) and considered to represent good practice. The assessment of construction traffic noise is considered to be the worst-case as it is based on the busiest three-month peak period of the construction phase i.e. during all other periods of the construction phase the associated traffic would be lower. The existing baseline noise levels from traffic has been predicted using the Department of Transport's Calculation of Road Traffic Noise (CRTN). The ES reports that noise and vibration from traffic during the construction and operational phases of the scheme is not likely to give rise to significant effects.
- 7.299 In conclusion, the ES reports less than minor adverse noise impacts from the construction phase including construction traffic, and minor adverse noise impacts from the operational phase including operational and visitor traffic. The ES finds that significant impacts due to vibration in either the construction or operational phase are

unlikely. It is considered that these findings are precautionary and pessimistic and effective control of adverse noise and vibration effects from the construction phase can be achieved by implementation of a construction environmental management plan to ensure that, amongst other matters, construction HGV movements only occur at given times as assumed in the ES. Conditions requiring a Construction Environmental Management Plan (CEMP) for each phase of development, to control the associated impacts, are considered appropriate.

#### Air quality

- 7.300 The air quality assessment and consideration of potential air quality effects during the construction and operation of the proposed development makes appropriate reference to the Air Quality Strategy for England, Scotland, Wales and Northern Ireland and the associated local air quality management (LAQM) regime. It also makes relevant reference to the properties of dust in the British Standard document BS6069 and how it is defined as a statutory nuisance in the Environmental Protection Act.
- 7.301 The assessment of construction and operational traffic follows guidance set out in the Highways Agency DMRB, and the approach adopted is considered sound. Based on the predicted number of vehicle movements the ES concludes that the impact on air quality would be negligible. This conclusion is considered reasonable. The use of the assessment of the Institute of Air Quality Management (IAQM) document, Guidance on the Assessment of the Impacts of Construction on Air Quality and the Determination of their Significance for assessing the effects of construction dust are also considered appropriate.
- 7.302 The proposed mitigation measures set out in the ES are considered extensive and Officers agree that with mitigation the residual construction dust effects would be minor. As such, the constructional effects can be mitigated through implementation of the CEMP.

#### **(viii) Other Environmental Impacts including Geology, Soils, Contamination and Minerals**

- 7.303 The ES considers the main issues relevant to geology and soils, including land potentially affected by contamination. The likely significant effects arising from any existing ground contamination are assessed principally in relation to human health and safety, groundwater and surface waters, designated ecological receptors, plant growth and construction materials.
- 7.304 The general approach to assessment is supported and includes consideration of published and other available documentary sources, intrusive surveys and associated ground contamination assessment reports. Consideration has also been given to the site's history, geology, hydrogeology, hydrology and soil quality. Potential risks, where identified, and the likely significant effects associated with the proposed development have been assessed in terms of geological, geomorphological and soil attributes and also water and groundwater resources. Officers are satisfied that the assessment methodology has been developed in accordance with the relevant legislative framework and relevant planning guidance as it relates to the management of contaminated land and the impact of contaminated land on ground and surface water.
- 7.305 The ES identifies the potential for contamination and effect on human health at both the construction and operation phases, although the most significant effect on construction workers is expected to be only minor adverse and reversible. Contaminants included isolated and localised elevated levels of iron and manganese. The iron levels are actually within the normal ranges for this part of southern England. However, these were not at levels considered to be a significant risk to construction

workers or the wider population and could be mitigated via the application of health and safety measures. The impacts during the operation of the development are assessed as negligible.

- 7.306 In order to mitigate any impacts, the applicant proposes that during construction measures set out in a CEMP would be followed. These include environmental monitoring of groundwater and surface water quality, and control of the exposure to known contaminants of concern. Those parts of the site yet to be surveyed would be investigated to collect information (e.g. on soil quality) needed to assess potential risks to health and quality of water. This would also take account of the final design of pipelines and other elements of the proposed development. The Council's proposed conditions would ensure that any unexpected contamination encountered during the construction works would be appropriately assessed and dealt with, and Officers are satisfied that any likely impacts would be mitigated via conditions as proposed by the Council's Environmental Health Officer.

#### Minerals

- 7.307 The NPPF at Paragraph 206 states that local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas (MSA) if it might constrain potential future use for mineral working. Policy 15 of the Hampshire County Council Minerals and Waste Plan 2013 aims to safeguard Hampshire's mineral resources, including brick-clay resource, against sterilisation by non-minerals development, unless 'prior extraction' takes place. The reservoir site contains an area of brick clay resource its and is designated as an MSA. Policy 15 states that development without the prior extraction of mineral resources in the MSAs may be permitted if:
- a) *"it can be demonstrated that the sterilisation of mineral resources will not occur; or*
  - b) *it would be inappropriate to extract mineral resources at that location, with regards to the other policies in the Plan; or*
  - c) *the development would not pose a serious hindrance to mineral development in the vicinity; or*
  - d) *the merits of the development outweigh the safeguarding of the mineral".*
- 7.308 In the submitted Havant Borough Local Plan - Policy KP9 states that planning permission would be permitted *"If possible, opportunities have been explored for the prior extraction of minerals to the satisfaction of Hampshire County Council"*.

- 7.309 The clay resource with the Scheme is the safeguarded mineral. Approximately 1.7 million m<sup>3</sup> of clay is being excavated for re-use within the reservoir site. It is considered, therefore, that the Scheme adheres to minerals policy of seeking opportunities for prior extraction as stated in draft Policy KP9. In relation to Policy 15 (b) and (d) of the HCC Minerals and Waste Plan, the site is allocated for a reservoir and there is an overriding public need for the Scheme, which has been considered in detail within this report, which outweighs the necessary safeguarding of the clay mineral.

#### Material Resources and Waste

- 7.310 The NPPF at paragraph 204 sets out an objective to contribute to protecting and enhancing the natural environment including the minimisation of waste and pollution. It also encourages sustainable use of minerals through use of secondary and recycled materials and minerals waste in preference to primary materials. At a local level, HCC Minerals and Waste Plan sets out 34 policies relating minerals and waste, these include ensuring an adequate supply of aggregate, maximising recycled and secondary aggregate production and the sustainable management of waste. In addition, the plan states that a key objective is to maximise the reuse, recycling and



recovery of construction, demolition and excavation (CDE) wastes. For non-hazardous waste, it sets targets for 60% to be recycled and 95% to be diverted from landfill by 2020.

- 7.311 The Scheme has used an environmentally led approach to avoid or mitigate adverse impacts and effects to the environment. For materials and waste this means applying the waste hierarchy and proximity principle and implementing the principles of a circular economy—including ‘designing out’ waste and keeping products and materials in use. The Scheme would aim to achieve a neutral cut and fill balance and recover 95% by weight of non-hazardous construction and demolition waste in accordance with the HCC Minerals and Waste Plan. As such there are no significant effects from the Scheme in relation to materials and waste. The management of materials and wastes would be monitored during construction to determine the Scheme’s environmental performance, and would be controlled through an appropriate condition.

**(ix) Impact on climate change and sustainable design**

- 7.312 The UK Climate Change Act set a legal reduction target of 80% against 1990 levels by 2050. It also introduced a series of carbon ‘budgets’ for five-year periods, to act as stepping-stones to the overall reduction. There are budgets currently set up to 2032. In response to the ambitions of the Paris Agreement, in June 2019 the Climate Change Act was amended to set the overall reduction target by 2050 to at least a 100% reduction in net emissions against 1990 levels, i.e. ‘net zero carbon’.
- 7.313 The assessment of the effects of the Scheme on climate change is provided in Chapter 16 of the ES. Greenhouse gas emissions for the construction and operation of the Scheme have been calculated, based on current design and construction information, and have been considered in the context of the UK’s national carbon budgets and overall net zero carbon ambition. The Scheme seeks to promote renewable energy and low carbon design in the buildings. In addition, the design considers the effects of climate change and applies the appropriate climate change factors particularly to flood risk levels to ensure that the infrastructure is resilient to expected climate change and extreme weather events. It is considered achievable for the reservoir to be carbon neutral by 2050. Due to its small contribution to overall emissions, the potential for carbon neutral operation by 2050, and the proposed design factors, it is considered the Scheme is compliant with climate change planning policies.

**Sustainable Design**

- 7.314 The principle of sustainable development is embedded in NPPF. At a local level HBC Policy CS16 requires high quality design as is relevant to the buildings proposed as part of the Scheme, in particular the visitor centre. This is mirrored in HBC draft Policy E6 on high quality design. EHDC Policy CP29 - Design, sets out the requirements for good design in development, mirrored by draft Policy S27 - Design and local character.
- 7.315 HBC Policy CS18, draft Policy KP9 and EHDC draft Policy S31 state planning permission at Havant Thicket would be permitted if:
- *the development is sustainable, fully maintained, cost-effective and delivers environmental and community benefits*
  - *the proposal realises the potential for renewable energy while taking into account nature conservation and other site constraints*
  - *opportunities arising from the new pipe works are taken to enhance the habitats, recreation provision and cycle and pedestrian accessibility along the stream corridors.*
- 7.316 The application is supported with a Sustainability Statement, which outlines measures

incorporated within the design of the scheme, a selection of these are outlined below:

- The clay required for the construction of the embankment and development of a wetland is already available on-site, hence most of the embankment material would not incur transport emissions and costs;
- The reservoir inherently reduces flood risk in the region through capture and storage of rainwater and surface water runoff;
- The design proposes use of energy efficient lighting to reduce energy requirements of the new developments (visitor centre, car parks), alongside the use of natural material in the visitor centre to improve insulation and thereby the building energy performance;
- Sustainable material procurement and use through the re-use of excavated materials and re-use of timber on site as much as possible;
- Further development during detailed design would explore the use of SuDS (Sustainable Urban Drainage Systems) to provide more green spaces.

7.317 Given these detailed measures, amongst others identified within the Scheme, it is considered that the Scheme accords with the requirements set out in the adopted and draft site allocations policies. Planning approval for the reservoir would be subject to a condition seeking a renewable energy strategy.

**(x) Contribution requirements and legal agreement**

7.318 As set out above a number of issues need to be secured within the Section 106 legal Agreement, these are:

1. Site Management Plan in terms of roles and responsibilities of site management and maintenance, and how this links and integrates with Staunton Country Park, which is owned by Hampshire County Council and Havant Thicket woodland, which is owned by Forestry England. Including how anti-social behaviour will be managed and co
2. Off-site Biodiversity Mitigation and Compensation Strategy- to include:
  - a) Creation of 80 hectares of new wood pasture and neutral grassland habitat
  - b) Up to 72 hectares of habitat restoration in Southleigh Forest
  - c) Compensation and enhancement package for the loss of 3.7km of ephemeral stream, which will provide on-site and off-site mitigation and compensation, totalling up to 5.5km of watercourse improvement.
  - d) Capital Grant Scheme to fund biodiversity enhancements to the value of £1.2 million
  - e) Monitoring and maintenance of Biodiversity Mitigation and Compensation Strategy
3. S106 monitoring fee
4. Provision of Recreational facilities
5. Permissive paths and diversion of Public Right of Way (Bridleway)
6. Employment and Skills Plan
7. A contribution in relation to traffic management
8. Payment of a Travel Plan Bond, Monitoring Fee and Approval Fee
9. Travel Plan (HCC)
10. Highway Works (HCC) and Site-Specific Transport Improvements (HCC) – including:
  - Provision of a full work-place travel plan in accordance with the framework travel plan prior to commencement
  - Payment of £1500 Travel Plan Approval Fee prior to commencement
  - Payment of £15,000 Travel Plan Monitoring Fee prior to commencement
  - Provision of a travel plan bond prior to commencement calculated at 110% the cost

- of the measures identified within the approved full travel plan.
- To enter into a s278 agreement for the southern access and for the access to be constructed to the satisfaction of the Highway Authority prior to commencement of any phase which requires use of this access as permitted through the approved CTMP
- To enter into a S278 agreement for the northern access and for the access to be constructed to the satisfaction of the Highway Authority prior to commencement on site.
- To pay the contribution for the Whichers Gate sustainable user improvements, Negotiations are taking place between the applicant and Hampshire County Council, regarding the level of contribution members will be updated on this matter
- To pay the contribution or enter into a S278 agreement for the B2149 sustainable access improvements
- To pay the contribution for sustainable access improvements for between Middle Park Way and the southern bounds of the proposed development. Negotiations are taking place between the applicant and Hampshire County Council, regarding the level of contribution members will be updated on this matter
- To pay the contribution for sustainable access improvements access facilities provided by the diverted Bridleway; and improved access to Waterloo via the Rights of Way network. Negotiations are taking place between the applicant and Hampshire County Council, regarding the level of contribution members will be updated on this matter
- A contribution to improve the on-site Bridleway and a contribution for the maintenance of the on-site Bridleways and improved cycles routes in Staunton Country Park (linking the development to Leigh Park). Negotiations are taking place between the applicant and Hampshire County Council, regarding the level of contribution members will be updated on this matter
- Prior to operation of the site for a detailed vehicle signage strategy to be submitted and approved by the relevant Highway Authority and this to be implemented prior to occupation.
- Wayfinding strategy
- To pay the southern access TRO contribution of £6,000 prior to completion of the southern access
- To pay the offsite TRO contribution of £24,000 prior to the site becoming operational to the public.

## **8 Conclusion – overall planning balance**

- 8.1 In conclusion on the principle of development, it is considered that there is an overriding public need for the Scheme and a lack of suitable alternative sites. In that the majority of the South East is classed as 'seriously water-stressed' with Portsmouth Water currently sharing supplies with Southern Water in West Sussex and Hampshire of up to 30 million litres of water each day. Southern Water supplies water to an area that is officially identified as an area of significant population and economic growth. Following the restriction imposed by the Environment Agency on abstraction from the internationally designated River Itchen and nationally designated River Test options for making up the subsequent water resources deficit were considered by the WRSE group.
- 8.2 The reservoir was included in WRSE's regional strategy and Portsmouth Water and Southern Water's 25-year and 50-year WRMPs, which gained approval from the Secretary of State for the Environment, and then Ofwat, in 2019. The Scheme would provide over 35% of water supply need over the next 25 years, and would help Portsmouth Water to free up existing supplies in the west of the catchment area to share with Southern Water's customers in order to meet the region's challenges in the

future, in particular relating to abstraction licence changes, predicted population growth and climate change, which would all place pressure on meeting future water supply demand. In addition, Portsmouth Water have outlined that they would utilise supplies from the reservoir, to have a secure water supply, particularly in the peak summer period. The site is identified within the adopted and emerging local plans for both Local Planning Authorities and as such the principle of development is acceptable.

- 8.3 In terms of the public benefits of the proposal, in line with the site allocation policy in the Local Plan brings notable sustainable benefits in terms of a new leisure and recreational facility adjacent to one of the more deprived areas in southeast Hampshire: a visitor centre, including a café and facilities for communities and schools, and an educational bird hide; an improvement in open space provision and a network of trails and paths for walking, cycling and horse riding, linking to others in the wider area, which is expected to lead overall improvement in health and well-being for the local community; the creation of a permanent wetland on the northern edge of the reservoir, which would provide a new wildlife conservation area; reductions in nutrients loads to the internationally protected Chichester and Langstone harbour from the Hermitage Stream catchment.
- 8.4 In consideration on the impact on Ancient woodland, it has been demonstrated that there is an overriding public need for the scheme and a lack of suitable alternative sites or design solutions within the preferred site which avoids loss of ancient woodland. Natural England and the Environment Agency have highlighted that they are satisfied that provided the mitigation and compensation strategy is secured and fully implemented, the scheme would have delivered a suitable compensation strategy for the loss of irreplaceable habitats. As such it is considered that wholly exceptional reasons apply in this application, in that a clear and convincing justification and a suitable compensation strategy have been demonstrated, in accordance with paragraph 175 of the NPPF.
- 8.5 The loss of watercourses within the reservoir site would be compensated for through improvements to the Hermitage Stream. Natural England and the Environment Agency have highlighted that they are satisfied that provided the mitigation and compensation strategy is secured and fully implemented, the scheme would have delivered a suitable compensation strategy for the loss of irreplaceable habitats. As such it is considered that wholly exceptional reasons to apply in this application, in that a clear and convincing justification and a suitable compensation strategy have been demonstrated, in accordance with paragraph 175 of the NPPF.
- 8.5 The site is in flood zones 1, 2 and 3 and the proposal includes significant flood mitigation measures. It can be concluded that this proposal meets the requirements of the necessary Sequential test through the provision of much needed infrastructure in terms of providing robust and reliable water supply. In the absence of suitable mitigation measure the development would have an impact in terms of flooding and loss of biodiversity. However, the proposed mitigation plans, which includes both on-site and off-site ecological improvements to waterbodies addition, are considered to provide an appropriate balance of measures to satisfy both the Article 4.7. The WFD precludes the authorisation of individual projects which may cause the deterioration of the status of a body of water, unless a derogation test under article 4.7 of the WFD is justified. A framework approach demonstrating how the scheme would meet the four tests has been discussed between the Environment Agency (EA) and the applicant and accompanies the planning applications. These discussions identified a long list of practicable measures that would be appropriate to fulfil article 4.7 test (a). The EA have agreed that these measures are sufficient for the purposes of fulfilling the Article 4.7 derogation, which will also achieve Biodiversity Net Gain commitments. In terms of

flood risk the detailed flood risk assessment, including emergency drawdown strategy, have been considered acceptable by the Environment Agency (EA) and Local Lead Flood Authority. The EA and LLFA raise no objection to this development and are content with the measures in place to ensure that the development, and the surrounding areas, are free from the risk of flooding and the site would be sustainably drained.

- 8.6 The development would result in a less than substantial harm to heritage assets as described in this report. Taking the above into account it is considered that the public benefits do outweigh the harm identified to the heritage assets, whether balanced on an individual basis or cumulatively, in accordance with paragraph 196 of the NPPF. Having regard to the requirements of Section 66 and 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 the proposal is therefore considered acceptable in this regard and in accordance with adopted East Hampshire District Council policy CP26, Havant Borough policies CS18, CS19 and emerging policy KP9 of the Havant Borough Local Plan.
- 8.7 Following extensive review and consultation to address concerns over vehicular, pedestrian and cycle access, it is considered that the development would provide safe access to the site and would not have a severe impact on the safety and free flow of the highway network. The application proposes a number of enhancements to pedestrian, cycle users, furthermore the proposed Bridleway Diversion, would provide an acceptable replacement Public Right of Way, in agreement with the Highway Authority, taking these highway factors together it is considered that the site is sustainable in transport terms, subject to the mitigation measures proposed and S106 and conditional requirements. Overall, the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused. It is clear in paragraph 109 of the NPPF that development should only be prevented or refused, on transport grounds, where the residual cumulative impacts of development are severe.
- 8.7 In conclusion, having regard to the presumption in favour of sustainable development in the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal and, as such, the proposal does constitute sustainable development and is in accordance with adopted and emerging policy. Accordingly, in what is a challenging balance of sustainable development principles, the application is recommended for permission.

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## 9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00990 - Havant Borough Council and 51680/001- East Hampshire

i) the Head of Legal Services be authorised to enter into a S106 Agreement to secure the Heads of Terms set out in paragraph 7.318 above:

ii) the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00991 - Havant Borough Council, as set out below subject to:

(A) completion of the Section 106 Agreement as set out in paragraph 7.129 above; and

(B) the conditions set out below (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision)

(i) **Grant Full Planning Permission** for only the following part of the above proposal as described:

Full Planning permission for Development of a reservoir for raw water storage, A pumped storage reservoir, with the minimum required total storage capacity of 8,700 million litres (ML), to support the planned bulk supply transfer of at least 21ML/d in extreme (currently defined as 1:200 year) drought conditions; Construction of an earth embankment adjacent to Staunton Country Park ; Construction of an overflow discharge/spillway at the south-western side of the reservoir and associated works; Construction of a new junction on the B2149 Manor Lodge Road and a new junction on Swanmore Road. Provision of viewing areas on the southern embankment and western edge of the reservoir, and

ii) **Grant Outline Planning Permission** with respect to the following part of the above proposal as described:

Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) control house partially incorporated within landscaped earth mounding adjacent to the south west embankment; together with provision of other earth embankments. Construction of a visitor centre / cafe, with storage areas and welfare facilities to the northwest of the reservoir to be used for recreational and education purposes; Provision of picnic area(s) and children's play area(s). Access routes from both junctions to the visitor car park; visitor car park comprising 193 car parking spaces and between 70 and 75 overflow spaces plus spaces for staff, coach/minibus and disabled drivers sited to the north west of the reservoir. Creation of a permanent wetland on the northern side of the reservoir and construction of bird watching hide/screen(s); recreational facilities for public amenity. Provision of perimeter tracks and a network of bridleways, cycle paths and footpaths; Construction of a slipway on the western bank of the reservoir for operational use only and a small section of the proposed pipeline (210m).

(B) the following conditions (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):

- 1 The development must be begun not later than five years beginning with the date of this permission.  
**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No part of the development hereby approved in outline (as set out in the Development Specification, Table 2.2, enclosed below) shall be commenced, except for site clearance, set up and remediation works, until applications for written approval of the details of the siting, scale and external appearance of the development, and the landscaping of the site (**herein after called "the reserved matters"**) have been submitted to and approved by the Local Planning Authority. Application(s) for approval of the matters reserved by this planning permission must be made not later than the expiration of 5 years from the date of this decision notice; and Development must be begun not later than the

expiration of 2 years from the final approval of reserved matters for the relevant phase, or, in the case of approval on different dates, the approval of the last such matter to be approved.

**Reason:** The application was submitted as part outline part full application in accordance with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and in accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990 and the Planning and Compulsory Purchase Act 2004.

**Table 2.2: Scheme Parameters**

| Element                                      | Parameter                                                                                                                                                                                                                                                                                                                                                                                                                                  | Level of detail |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Reservoir capacity                           | Minimum required total capacity: 8,700 million litres<br>Maximum capacity: at least 9,600 million litres, up to a Top Water Level (TWL) of 39.5m AOD.                                                                                                                                                                                                                                                                                      | Fixed           |
| Supply rate                                  | Output capacity: at least 21 Ml/d in extreme (currently defined as 1:200 year) drought conditions.                                                                                                                                                                                                                                                                                                                                         | Fixed           |
| Embankment                                   | Max 20m high.<br>Crest level 40.5m AOD.<br>Length 2,770m.<br>Inside slope: to range from 1:5 to 1:7.<br>Outside slope: majority 1:7 with local variations to 1:5 at Round Wood and the Avenue woodland (see below).<br>Outer toe (edge): +/- 2m horizontal range (north to south).<br>Crest line position: 0 – 37m horizontal range (to north) to accommodate any potential future need for reducing the outer face slope from 1:5 to 1:7. | Outline         |
| Embankment adjacent to Staunton Country Park | Toe (edge) of the embankment is fixed at a minimum of 25m from the edge of woodland along the southern boundary of the Site (known as Hammond's Lands Copse). Length of embankment at 1:5 is approximately 185m along this stretch and 390m of embankment with slope varying from 1:5 to 1:7.<br>Staircase detail along alignment of The Avenue joining pedestrian access from Staunton Country Park with viewing area at the crest.       | Fixed           |
| Top Water Level (TWL)                        | 39.5m AOD.<br>1.0m freeboard (height from TWL to embankment crest) to prevent/limit overtopping.                                                                                                                                                                                                                                                                                                                                           | Fixed           |
| Spillway / overflow                          | 3m long weir/ 700mm diameter pipe.                                                                                                                                                                                                                                                                                                                                                                                                         | Fixed           |
| Slope protection material                    | Range of up to 450mm thick layer of protection. Rip-rap (rock armour). Rock mattresses would be brushed with topsoil allowing planting with aquatic / marginal species such as reeds and sedge grasses.                                                                                                                                                                                                                                    | Fixed           |
| Lowest operating level                       | 27.5m AOD.<br>Lowest 20% to be considered dead storage, minimum level before reservoir operationally fails.                                                                                                                                                                                                                                                                                                                                | Fixed           |

| Element                                                     | Parameter                                                                                                                                                                                                                                                                                                                                                     | Level of detail                         |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| Emergency drawdown facility                                 | Discharge capacity of 10.9 m³/s<br>Reservoir can be lowered by 1/3 of water depth in 6 days.<br>1.4m diameter scour pipe and submerged discharge valve discharging into Riders Lane Stream at the proposed control house.<br>1.2m diameter inlet /outlet pipe discharging into the Hermitage Stream 3km downstream.                                           | Fixed                                   |
| Wetland retaining structure                                 | A retained wetland extending for approximately 1.3km along the northern shoreline.<br>4No. retained wetland compartments, plus provision of an area for wet grassland habitat creation to the east of the retained wetland.<br>Retention of wetland during drought levels in main reservoir.<br>Minimum area of retained wetland provided ~10ha.              | Outline<br>(commitment to minimum area) |
| Control house                                               | Maximum width of building frontage: 33m.<br>Maximum height of building wall above external ground level: 6m (excluding security fence).<br>Schedule of accommodation: total area approximately 430m² (excluding courtyard).<br>Reinforced concrete outer structure with cladding, composite roof slab with green roof, steel frame /blockwork internal walls. | Outline                                 |
| Visitor Centre                                              | Maximum envelope of 35m x 55m and maximum height of 10m.                                                                                                                                                                                                                                                                                                      | Outline                                 |
| Bird Hide                                                   | Maximum envelope of 9m x 20m and maximum height of 5m.                                                                                                                                                                                                                                                                                                        | Outline                                 |
| Viewing Area                                                | Location along the western boundary and outline design.                                                                                                                                                                                                                                                                                                       | Outline                                 |
| Vehicle Access                                              | New junctions off B2149 (to the north) and Swanmore Road (to the south).                                                                                                                                                                                                                                                                                      | Fixed                                   |
| Northern Access Route from junction with B2149 and car park | Single lane single, 3.65m wide carriageway with passing bays and 0.5m verges with 0.9m embankment slopes and a 6.45m wide footprint.                                                                                                                                                                                                                          | Outline                                 |

3. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Drawings

HTR-ATK-ZZ-ZZ-DR-L-0001 Outline Masterplan

HTR-ATK-ZZ-ZZ-DR-L-0006 Planning Application Strategy Key Plan

HTR-ATK-ZZ-ZZ-DR-L-0007 Key Plan 1

HTR-ATK-ZZ-ZZ-DR-L-0008 Key Plan 2

HTR-ATK-ZZ-ZZ-DR-L-0009 Key Plan 3

HTR-ATK-ZZ-ZZ-DR-L-0012 Landscape Plan - Control House

HTR-ATK-ZZ-ZZ-DR-L-0013 Landscape Plan – Staircase

HTR-ATK-ZZ-ZZ-DR-L-0014 Landscape Plan - Gipsies Plain

HTR-ATK-ZZ-ZZ-DR-L-0015 Landscape Plan - North West Corner

HTR-ATK-ZZ-ZZ-DR-L-0016 Landscape Plan - Viewing Platform

HTR-ATK-ZZ-ZZ-DR-L-0018 Section A

HTR-ATK-ZZ-ZZ-DR-L-0019 Section B + C

HTR-ATK-ZZ-ZZ-DR-L-0020 Section D + E

HTR-ATK-AR-RE-DR-D-0001 Northern Access Route off B2149

HTR-ATK-AR-RE-DR-D-0002 Northern Access Junction off B2149

HTR-ATK-AR-RE-DR-D-0005 Vehicle Access Route South revC04



Documents

Engineering and Design Report

Planning Statement

Development Specification

Environmental Statement (Volumes 1 - 4) including Non-Technical Summary. The Volume 4 Appendices include the following standalone reports:

Outline Construction Environmental Management Plan including Record of Environmental Actions and Commitments or REAC

(ES\_Volume\_4\_Appendix\_A2.1\_OEMP)

Transport Assessment (ES\_Volume\_4\_Appendix\_A13.1\_TA)

Flood Risk Assessment (ES\_Volume\_4\_Appendix\_A15.2\_FRA)

Water Framework Directive Compliance Assessment

(ES\_Volume\_4\_Appendix\_A15.1\_WFD)

Arboricultural Impact Assessment (ES\_Volume\_4\_Appendix\_A9.14\_AIA)

HTR-ATK-RZ-RE-DR-L-113 Revised Tree Protection Plan Sheet 37 of 40 (revP01.1)

Design and Access Statement

Statement of Community Involvement

Outline Biodiversity Mitigation and Compensation Strategy

Article 4.7 Statement

ADDITIONAL INFORMATION SUBMITTED FEBRUARY 2021

A Summary of the Benefits of Havant Thicket Reservoir

HTR TNPS02 Traffic Distribution Sensitivity revision\_V2.0 dated 25/01/2021

HTR TNPS03 Report on Northern Access Layout dated 29/01/2021

HTR Water Framework Directive Article 4.7 29/01/2021

ADDITIONAL INFORMATION SUBMITTED APRIL 2021

Access for Non Motorised Users - Technical Note dated 01/04/2021

Access Strategy, Rat Running and Construction Management - Technical Note dated 01/04/2021

Framework Construction Management Plan dated 31/03/2021

Article 4.7 Shortlisting Methodology dated 01/04/2021

Transport Assessment Addendum - Framework Travel Plan dated 01/04/2021

Implementation Plan for Off Site Biodiversity Mitigation and Compensation dated 01/04/2021

Reason: For the avoidance of doubt and in the interests of proper planning.

**Phasing**

4. Prior to the commencement of development, a detailed phasing plan for the development shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan and no variation shall be made without the prior written approval of the Local Planning Authority. Approval will not be given if in the reasonable opinion of the Local Planning Authority the proposed variation creates new environmental impacts which exceed the range or scale of those measured and assessed in the Environmental Statement (including the further information) and which the Local

Planning Authority considers may require further or additional mitigation measures.

Reason: The Environmental Impact and merits of the proposed development have been assessed on this basis.

**Construction Environmental Management Plan**

5. No phase of the development approved under Condition 4 shall commence until a phase specific Construction Environmental Management Plan for that parcel has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall be based upon, and be in broad accordance with, Volume 4 Appendix A2.1 of the application Environmental Statement (Outline Environmental Management Plan). It should demonstrate that the risk to controlled waters will be appropriately managed, and include both temporary and permanent construction features and detail information on locations of proposed techniques such as cofferdams, culverting and piping and the associated flood risks and mitigation measures. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties or within the public realm. To avoid inappropriate parking practices, and turning and manoeuvring of construction vehicles which adversely impact either the use- or safety- of the public highway. This condition is imposed having due regard to policies DM10 & CS15 (Havant Borough Local Plan (Core Strategy) 2011), and the National Planning Policy Framework 2019.

6. No phase of the development approved under Condition 4 shall commence until a Construction Method Statement (CMS) for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties.

**Reserved Matters – Visitor Centre area**

7. The reserved matters application for the North West Corner (including visitor centre and car park) submitted pursuant to Conditions 2 and 4 shall include:
- Consideration of the play area location (currently in proximity to the bin store, a more suitable location should be explored);
  - Any non-residential buildings to achieve BREEAM 'Very Good' certification and/or contribute to a reduction in greenhouse gas emissions using 'Fabric First' principles and renewable technology (i.e. solar PV);
  - Closed Circuit Television (CCTV) cameras linked to a monitoring station to provide for immediate response to incidents as they are occurring;
  - Electric Vehicle (EV) parking spaces and charging points;
  - Cycle parking (within a covered sheffield stand).

Regarding the latter, cycle parking for e-bikes, tandem bikes, cargo bikes and bicycles used by disabled visitors should be considered and provided.

Reason: In the interests of safety, social inclusion and sustainable development.

### **Highways and amenity**

#### **Hours of working**

8. No construction on the reservoir site shall take place outside the hours of 07:30-18:00 Monday to Friday, 07:30-13:00 on Saturday and no Sunday working, with the exception of specific works that shall have been agreed in writing with the Local Planning Authority in advance and shall include details of the task, the date and duration of works. No works shall take place on Bank or Public Holidays.  
Reason: In the interests of the amenities of local residents.

#### **Construction noise and vibration**

9. No phase of the development approved under Condition 4 shall commence until a construction noise and vibration management plan, including a targeted scheme wide construction noise and vibration monitoring and reporting programme, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: To ensure that construction noise and vibration is managed effectively so that levels do not regularly exceed the threshold for significant impacts.
10. No phase of the development approved under Condition 4 shall commence until a revised and updated assessment of potential noise and vibration arising during construction shall be prepared in accordance with BS 5228-1:2009+A1:2014. The assessments shall include likely eligibility for noise insulation or temporary re housing and shall be submitted to and approved in writing by the Local Planning Authority and construction carried out in accordance with the agreed recommendations.  
Reason: To minimise potential noise impacts on nearby sensitive receptors.
11. Subject to Condition 10 [ABOVE], no night time working shall take place, unless otherwise in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. Night-time works to be carried out strictly in accordance with the approved scheme.  
Reason: To avoid potentially significant impacts of noise and vibration upon residential receptors.

#### **Construction Traffic Management Plan (CTMP)**

12. A) No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Local Planning Authority (in consultation with Hampshire County Council as local highways authority). B) No phase of the development approved under Condition 4 shall commence until a phase specific CTMP for that parcel has been approved in writing by the local planning authority. The CTMP(s) shall include all commitments set out in the Framework CTMP, dated 31/03/2021, submitted with the planning applications and will include a Construction Traffic Management Strategy and Construction Worker Travel Plan. The CTMP shall include the following:
- vehicle routing plans
  - proposed programme and duration
  - number of construction personnel including travel arrangements and mitigation where necessary
  - alterations to the highway, including temporary and / or permanent, to enable construction

- details of the number of construction and delivery vehicles using the public highway (no abnormal loads are anticipated at this stage)
- traffic management details
- compounds and laydown area details
- highway condition surveys
- methods for managing the site to prevent mud onto the highway
- details of on-site contractor parking.

The CTMP shall be implemented in accordance with the agreed details.

Reason: To ensure the safe and efficient operation of the highway network.

#### Site access

13. Before each phase of development approved under Condition 4 above is commenced, a scheme indicating the provision to be made within that phase for people with disabilities to gain access to publicly accessible area and buildings shall have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the land and/or buildings concerned are brought into use.

Reason: In the interests of social inclusion and sustainable development.

#### Signage strategy

14. Before the development of the final phase (visitor facilities phase) of development approved under Condition 4 above is commenced, a signage strategy for the operational phase of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details before commencement of the operation phase and retained thereafter.

Reason: In the interests of highway safety, visitor amenity and safety and protection of new and existing habitats.

15. Prior to commencement of construction of the visitor facilities a Wayfinding Infrastructure Strategy shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The Strategy should include the design and location of signage, seating and public art across the site. Signage should not be limited to the visitor centre, trails and bird watching areas, but should also include key areas surrounding Havant Thicket such as, but not limited to, Dunsbury Park, Horndean, Leigh Park, Rowlands Castle and Staunton Country Park. The requirements of the Wayfinding Infrastructure Strategy shall be implemented in full prior to visitor facilities first being brought into use.

Reason: In the interests of highway safety, visitor amenity and safety and protection of new and existing habitats.

#### Sustainable access

16. The following site access improvements for non-motorised users (within the red line boundary) will be implemented in full prior to completion of the Access Junctions, as outlined on drawing HTR ATK RP – Z - 0076:
  - a) Improved site access at Cedar Drive to connect to the diverted bridleway with new kissing (accessible and cycle friendly) and horse friendly gates (Access 3);
  - b) A new bridleway access into the site to the north of the southern access road (diversion of Bridleway 121);

in accordance with the Access for Non Motorised Users Technical Note, dated 01/04/2021, submitted with the planning applications and Planning Drawings: HTR-ATK-AR-RE-DR-D-0005-Vehicle Access Route South Plan revC04; HTR-ATK-AR-RE-DR-D-0006-Vehicle Access Junction South (Swanmore Road) revC04. Furthermore, investigations shall take place to provide a further non-motorised users on the northern access to provide a direct north-south sustainable link.

Reason: In the interests of highway safety, visitor amenity and safety and protection of new and existing habitats.

#### Non-motorised users

17. The following site access improvements for non motorised users (within the red line boundary) will be implemented in full prior to completion of the visitor facilities:

- a) Localised upgraded of existing site access at the south western corner of the site close to junction of Swanmore Road and Well Meadow (Access 6);
- b) A new gated pedestrian and cycle access to be provided from Swanmore Road into the site south of the new vehicular access (Access 7);
- c) A bridleway crossing will be provided from the new southern access route to link the diverted Bridleway 120 to the junction of the existing Bridleways 120 and 121 in accordance with (Access 8),

in accordance with the Access for Non Motorised Users Technical Note, dated 01/04/2021, submitted with the planning applications and Planning Drawings: HTR-ATK-AR-RE-DR-D-0005-Vehicle Access Route South Plan revC04; HTR-ATK-AR-RE-DR-D-0006-Vehicle Access Junction South (Swanmore Road) revC04.

Reason: In the interests of highway safety, visitor amenity and safety and protection of new and existing habitats.

#### Internal layout

18. Unless otherwise agreed in writing before the development of the final phase (visitor facilities) of development, details of how through movement of traffic has been prevented by the detailed design, in the form of a physical barrier within the car park to ensure visitors can not travel between the north and south access (rat-running), and details of measures to deter motorcyclist access shall be submitted to and agreed in writing by the Local Planning Authority. The barriers should also be provided at the northern and southern entrances and locked at night time to prevent anti-social behaviour. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety, visitor amenity and safety and protection of new and existing habitats.

#### Northern access

19. No development shall commence on site until the works to the vertical profile on the B2149, in accordance with drawing HTR-ATK-AR-RE-DR-D-0010, has been undertaken to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority, and as such approved in writing, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, visitor amenity and safety and protection of new and existing habitats.

### **Historic Environment**

#### **Lighting strategy**

20. No phase of the development approved under Condition 4 shall commence until a Lighting Strategy for that phase or parcel has been approved by the local planning authority. The Strategy must include:

- Proposed specifications for external lighting of service areas, parking, buildings, signs, open space and access junctions.
- Measures to prevent obtrusive light to residents and distraction of motorists.
- Measures to minimise light pollution.
- Appropriate energy efficiency technology
- Permanent lighting will comprise hooded luminaires directed away from vegetation, particularly the boundary hedgerows and treelines to avoid any light spill onto retained vegetation.

Lighting will follow good practice current at the time of detailed design. The new lighting will be task-related, associated with the visitor centre and associated car park and with no lighting on the access roads. The lux level will be as low as possible to meet their purpose safely and effectively.

The lighting for each phase or parcel shall be carried out in accordance with the approved Lighting Strategy and shall be retained and maintained as such thereafter.

Reason: In the interests of safety, visual and residential amenity and habitats and the environment.

#### **Archaeological Evaluation (Written Scheme)**

21. No phase of development approved under Condition 4 hereby approved shall commence until an Archaeological Management Plan (AMP) has been submitted to, and approved in writing by, the Local Planning Authority. The AMP will provide appropriately for all aspects of archaeological recording and will serve as an over-arching Written Scheme of Investigation for all archaeological works.

Reason: To record important archaeological features.

#### **Archaeological Evaluation (Programme)**

22. No development within a Development Phase shall commence until the applicant has submitted, and the Local Planning Authority has approved, a written scheme for the programme of archaeological mitigation within that Development Phase area. The programme for archaeological mitigation shall then be implemented in accordance with the agreed written scheme.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

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. This is a pre-commencement requirement because of the need to secure satisfactory archaeological protection in advance of each individual Development Phase commencing.

#### **Archaeological Evaluation (Recording)**

23. No development within a Development Phase shall commence until the applicant has submitted, and the Local Planning Authority has approved in writing, a

Written Scheme for recording all historic assets within that Development Phase area. The recording of all historic assets shall then be implemented in accordance with the agreed scheme.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

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. This is a pre-commencement requirement because of the need to secure satisfactory archaeological protection in advance of each individual Development Phase commencing.

#### Archaeological Evaluation (Publishing)

24. Following completion of archaeological fieldwork within a Development Phase, a report shall be produced in accordance with an approved programme including, where appropriate, post-excavation assessment, specialist analysis and reports, publication and public engagement related to that Development Phase area and submitted to the Local Planning Authority.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

Reason - To contribute to the knowledge and understanding of past uses and activities on site by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available

#### Historic environment – The Avenue

25. No phase of the development approved under Condition 4 hereby approved shall commence until the applicant has submitted, and the Local Planning Authority has approved in writing options for enhancement and interpretation of the historic environment. Measures shall include the following:
- i. A mechanism to interpret the role of the Avenue in the understanding of value of the Leigh Park RPG and Sir George Staunton Conservation Area in order to offset the harm caused by its partial removal.
  - ii. The full extent of the Avenue is fully recorded before it is further truncated. This should include a photographic record and a detailed plan showing all features of historical interest.
  - iii. A landscaping scheme is devised to integrate the reservoir with the Avenue a detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority.
  - iv. A timetable for implementation and arrangements for maintenance of the approved details

The designs should be developed in consultation with Historic England and the Local Planning Authority Heritage Manager, as well as the Hampshire County Archaeologist, where appropriate. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure the protection of important heritage and historical features.

Public safety

26. Prior to construction of the Embankment phase of development approved under Condition 4 above, a scheme indicating the measures to reduce the risk of drowning shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of safety for the general public.

Landscape

27. Any reserved matters application for layout or landscaping submitted pursuant to Condition 4 shall include the submission of a Tree Survey and updated Arboricultural Impact Assessment (including a Tree Constraints Plan), Arboricultural Method Statement and Tree Protection Plan showing the tree or group of trees, the Root Protection Area(s) and the crown spread(s) in relation to the proposed development. All tree root protection areas identified, shall be protected by protection fencing in accordance with BS 5837:2012.

The approved tree protection measures shall be implemented before any equipment, machinery, or materials are brought on to the site in connection with the works. They shall be retained intact for the duration of the construction works and shall only be removed or altered following completion of that phase.

Reason: To preserve the amenity visual amenity of the locality.

28. No phase of the development approved under Condition 4 shall commence until full details of the landscaping of that parcel has been submitted to and approved by the Local Planning Authority. Each reserved matter application shall set out how it complies with the approved planning drawings and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The details shall include:

i) Written specifications (including cultivation and other operations associated with plant and grass establishment,

ii) Planting methods, tree pits & guying methods,

iii) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,

iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,

v) Manner and treatment of watercourses, ditches and banks,

vi) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,

ix) A timetable for implementation of the soft and hard landscaping works.

The scheme of Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed, within 10 years shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority. The development



shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of visual amenity and managing impact on the existing habitats.

Renewable energy

29. No development shall take place until a Renewable Energy Strategy has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of sustainable development.

**Flood risk and drainage**

Contamination

30. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. In line with paragraph 170 of the National Planning Policy Framework.

Flood risk

31. The development shall be carried out in accordance with the submitted flood risk assessment (ref HTR-ATK-XX-XX-RP-Z-0042, titled A15.2 Flood Risk Assessment Report, compiled by Atkins on behalf of Portsmouth Water Ltd dated 01/09/20) and the mitigation measures it details. These mitigation measures shall be fully implemented prior to operation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed throughout the FRA shall be retained and maintained thereafter throughout the lifetime of the development.

Reason:

- To reduce the risk of flooding to the proposed development and future occupants
- To ensure flood risk off site is not increased as a result of the proposed development in line with paragraph 163 of the National Planning Policy Framework.

32. No phase of the development approved under Condition 4 shall commence until a detailed scheme, to ensure the development will not increase the risk of flooding, has been submitted to, and approved in writing by, the local planning authority. Specifically, further details should be provided where relevant to that phase including:

- A detailed drainage management plan that adequately details the management of the drainage associated with the phase.
- Detailed information surrounding a number of permanent structural elements including the proposed dimensions and height of the embankment, associated

spillway, control house and wetland retaining structure (including the proposed piped controls).

- Detailed information including the long-term maintenance scheduled for the proposed development.
- Detailed information on the proposed location and design of the visitor centre, including proposed finished floor levels.
- Should the proposed access routes to and from the visitor centre be situated within proximity to main river or within the flood zone then further details should be provided on the associated impacts on flood risk and the proposed mitigation measures.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and its future users. This is in line with paragraph 163 of the National Planning Policy Framework.

33. The Reservoir Scheme shall be constructed in accordance with the parameters set out in Table 2.2 of the Development Specification, as set out in Condition 2, and the design standards and principles set out in the Design and Access Statement and summarised in Section 3 of the Development Specification.

Reason: To ensure the development reflects the approved scheme.

#### Drainage

34. Construction of the Visitor Centre 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. The development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate provision of foul and surface water sewerage disposal.

35. Prior to construction of the Embankment phase of development approved under Condition 4 above, an On-site Emergency Flood Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To ensure that residual flood risks on site are safely managed in accordance with the NPPF.

#### Ecology

36. No phase of the development approved under Condition 4 shall commence until full details of all ecological mitigation, compensation and enhancement measures (to be informed as necessary by up-to-date survey and assessment) and on-going monitoring of mitigation measures required for each reserved matters application (including both ecological works directly related to that Development Phase reserved matters area and any works associated with that area but lying outside of the boundary of that area) shall be submitted for approval to the Local Planning Authority. Such details shall be in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Outline Biodiversity Mitigation and Compensation Strategy (ECOSA, September 2020), the Habitats Regulations Assessment (Atkins/Portsmouth Water, September

2020) and the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021. Any such approved measures shall thereafter be implemented in strict accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

37. Prior to the clearance of trees within the reservoir footprint, a European Protected Species (EPS) licences for hazel dormouse and bats will be obtained from Natural England. The requirements of the licences shall be adhered to, unless varied through agreement with Natural England.

Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

38. An Ecological Clerk of Works (ECoW) shall be appointed, to be full time on site during site preparation and clearance and during any works in sensitive areas, and to undertake regular monitoring visits throughout the construction programme.

Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

#### Soil management

39. No phase of the development approved under Condition 4 shall commence until a Soil Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include separate management of ancient woodland soils for restoration. The Plan shall include a timetable for the carrying out of the works, once approved. The development shall be carried out in accordance with the approved details and timetable.

Reason: To support reinstatement of the landscape disturbed by the construction works.

#### Appendices:

- (A) Full consultation responses
- (B) Glossary
- (C) Site location plan
- (D) Reservoir location and Environmental constraints
- (E) Reservoir outline masterplan
- (F) North west outline masterplan – Visitor Centre and car park indicative layout
- (G) North west indicative sections
- (H) Southern access arrangements onto Swanmore Road
- (I) South-west corner levels with Swanmore Road
- (J) Embankment section with Control house
- (K) The Avenue embankment sections
- (L) The Avenue landscaping

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**1.1 Conservation Officer**

## Historic context and significance

The proposed reservoir would cover part of a later 19th century Avenue that is part of Leigh Park (Staunton Country Park), a grade II\* Registered Park. This avenue is also within the Sir George Staunton Conservation Area.

The registered park and garden and conservation area is centred upon the historic setting of the original pleasure grounds and parkland Estate – Leigh Park, created by Sir George Staunton, during the early years of the 19th century. Today, the Estate (more usually known as Staunton Country Park) is a rare and important example of a landscaped park of the 1820-1830s and incorporates the trends, styles and influences of that era with a particular association with China, together with some later Victorian features. Comprising of an area of some 63 hectares, the Estate lies to the north of Havant town centre and extends to Rowlands Castle, straddling the boundary between Havant Borough Council and East Hampshire District Council. It was first designated as a Conservation Area in 1978. In 1987, it was established as a Country Park under a Joint Management Committee and in the following year 1988, the Conservation Area was reviewed and extended to include the Upper Lake and Hammond's Lands Copse to the northwest. The conservation area was further reviewed in 2008.

Designation recognises that the Estate, its setting and grounds together with any buildings, is special and warrants additional safeguards and attention. This does not mean that change cannot take place, but that any new development must take into account the area's special qualities.

The heritage statement produced by the applicant and comments by Historic England have addressed the significance of the Parkland (in particular the avenue and north west section of the conservation area) in excellent detail and I will not seek to replicate this further. However, it is important to note that

- The Avenue ran from the northwest corner of the mansion to the county boundary to the northwest and was designed to be a grand feature. Views along the Avenue were channelled along its length, with no views to the surrounding parkland and limited views to the mansion, creating a private and secluded ride and lake.
- The Avenue north of Upper Lake is now lost. Upper Lake itself is largely over grown and has lost its Boat and Bathing House, with its waterfall largely inappreciable. The significance of the remaining half of the Avenue is therefore compromised by its truncation. However, it still makes an important contribution to the significance of the park as the most ambitious element of the later 19th century works to the landscape to survive.
- The north west section of the conservation area (which is proposed to be lost) is understood to have been woodland with walks crossing it. Most of this tree planting has since been removed, although some walking routes remain. This land was included in the conservation area boundary as it forms the backdrop to Leigh Water in key views from the terrace. This pocket of land therefore positively contributes to the understanding and appreciation of the landscape that forms the significance of the conservation area.

**Assessment**

## The Avenue

The proposals would see half of Stone's Avenue removed, including the Upper Lake. This would only leave a small section of the avenue in situ. The view down this section of the avenue would also be truncated by the construction of the reservoir embankments. However, it is important to note that the avenue has changed significantly from its original vision with the section north of the upper lake lost. This impacts on the avenue overall historic significance.

A staircase is proposed to climb the embankment of the reservoir, continuing the line of the lost section of the Avenue. It is intended that at the top of this staircase a viewing platform will be created to afford some understanding of the Avenue feature, providing medium length views along the ride, as well as the surrounding estate and reservoir

The harm caused to the conservation area and register park and garden would be significant but nonetheless would be less than substantial. Whilst there would be total loss of the upper lake part of the avenue will still be discernible ensuring that it continues to contribute to the significance of the registered park and conservation area.

The introduction of the avenue staircase also goes some way to mitigating the harm with the intention of creating integration between the historic landscape and the reservoir.

### North western section of the conservation area

The proposal would see the north west section of the conservation area lost to the development of the reservoir. As noted above this is understood to have been woodland with walks crossing it. Most of this tree planting in this area has since been removed, although some walking routes remain. Whilst this area positively contributes to the understanding and appreciation of the landscape that forms the significance of the conservation area it is considered that much of the conservation area will still be unaltered. This is also a later part of the designed parkland and does not have the historic significance of other areas within the parkland.

As with the Avenue the harm would be high but less than substantial.

### Terrace

The proposals largely retain key views from the terrace. However, this vista will be slightly altered by seeing a small portion of the reservoir. This would compromise to an extent the experience of looking out over unbroken countryside that the terrace was designed to take advantage of. On this basis the proposals will cause a low level of harm to the significance of the grade II listed terrace, the registered park and conservation area.

### Planning obligations

As significant harm is caused to the historic parkland and the conservation area the opportunity should be taken to improve the amenity and interpretation of the conservation area and the registered park.

I would welcome a commitment to a landscape management plan for the wider registered park and garden and conservation area that would assess the condition of those built elements remaining from the 19th century and create and fund a schedule of repair and maintenance, bringing additional heritage benefits to the scheme. There is also scope for improved interpretation within the wider registered park and garden and conservation area of those known lost features of significance, something which should be included within an

interpretation strategy. This would contribute to the success of the visitor and recreation attraction which is a proposed outcome of proposals.

#### Conditions:

- The avenue and north west area of the conservation area is fully recorded before they are lost. This should include a photographic record and a detailed plan showing all features of historical interest.
- A landscaping scheme is devised to integrate the reservoir with the Avenue and the Sir George Staunton Country Park beyond
- Interpretation is provided to explain the purpose and original extent of the Avenue

### **1.2 County Ecologist**

As you know I have been involved in detailed pre-application discussions with the applicant alongside Natural England and Forestry Commission officers, as well as having attended consultation events with other stakeholder representatives. These discussions have taken place over several years and I have a sound overall knowledge of the site, the scope of ecological studies undertaken, the predicted impacts, and the proposed outline ecological mitigation, compensation and enhancement strategy. The application is accompanied by detailed ecological information. I have carefully reviewed the Environmental Statement Chapter 2 Biodiversity (Atkins/Portsmouth Water, September 2020) and each of the habitat- and species-specific technical reports and appendices (ECOSA, various dates). I have reviewed the Outline Biodiversity Mitigation and Compensation Strategy (ECOSA, September 2020) and the Habitats Regulations Assessment (Atkins/Portsmouth Water, September 2020). In order to be concise I have attempted to comment in detail only on the most significant issues as I see them. The views of Natural England and the Environment Agency are critical in judging the overall acceptability of the scheme as proposed (in that there are separate licensing regimes for impacts to certain species and the water environment) and I may of course need to provide updated or amended comments in light of advice from other statutory consultees. I also recognise that there are likely to be changes to details of ecological impacts and mitigation measures as a result of other consultee comments, and that for a project of such scale there will be amendments required as the project progresses.

#### Scope of ecological surveys

Ecological assessments at the site have taken place over a considerable period of time and have at times been extremely focussed. I have no concerns over the scope, scale and standard of ecological assessments and I acknowledge the significant effort involved in assessing the ecological baseline over many years using expert technical advice. The robust baseline allows a greater level of certainty with respect to predicted impacts and is used to shape the overall ecological mitigation, compensation and enhancement package. I also acknowledge the applicant's willingness to undertake updating or new surveys at the request of key consultees, and the open sharing of information with me and others over several years.

#### Comment on overall impacts

A project of this scale cannot be realised without significant ecological impacts, and it is clear that there are substantial implications for the existing natural environment of Havant Thicket: the proposals would require the permanent loss of irreplaceable habitats such as ancient woodland and veteran/notable trees as well as substantial losses of other woodland, grassland, scrub and seasonal watercourses and other waterbodies. Impacts to habitats are summarised as follows: c.13 Ha of semi-natural woodland to be removed, c. 18 mature veteran trees to be removed, c. 29 scattered broadleaved trees to be removed, c.139 Ha of

grassland removed, and impacts to c.3.7km of ephemeral stream habitat. The surveyed area supports a range of protected species, including nationally-rare species of bat as well as badger, hazel dormouse, common reptiles, great crested newt, breeding birds and notable invertebrate species. The profound change of land-use would result in significant impacts to many of these species. Many of the impacts cannot be directly compensated on a like-for-like basis and there is an acknowledgement that mitigation, compensation and enhancement measures must be viewed as a whole package, many of the benefits of which may not be realised for many years, just as many of the impacts will be permanent or of long duration. Given the scale of the proposals there is necessarily a reliance on off-site measures which primarily entail woodland management interventions to enhance habitat. Some of the mitigation measures for certain species – bats and hazel dormice in particular – will require intensive hands-on interventions and long-term commitment from the applicant to ensure that species are protected in accordance with any European Protected Species licence conditions.

In summary, my overall conclusion is that despite very obvious significant impacts to the current nature conservation value of the site, the scheme as proposed is likely to deliver substantial biodiversity value in the medium-to-long term, albeit in a different form to the habitats that currently exist. The permanent loss of ancient woodland and veteran trees is essentially impossible to mitigate and so there must be a case made for overriding reasons (which are beyond the scope of my advice). These substantial losses can be mitigated to a degree by the proposed new woodland planting (linking Havant Thicket woodland and Staunton Country Park) and the extensive habitat creation and management works proposed for surrounding areas that will improve the ecological value of woodland, grassland and linear watercourse habitats for a range of species over time: there is no doubt that substantial biodiversity gains can be made through better management of the surrounding woodland.

Further details have been provided of proposed off-site mitigation, compensation and enhancement measures. These details are contained within the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021) as well as the Technical Note – Article 4.7 WFD Short-listing methodology (Atkins, March 2021) and accompanying Letter to Portsmouth Water - Havant Thicket Winter Storage Reservoir – Water Framework Directive (WFD) Article 4.7 (Environment Agency, 18 February 2021). These matters are discussed below.

### Bats

Extensive bat survey works over a period of ten years has resulted in a robust understanding of the bat populations of the site and surrounding area. Data collected from the site and adjacent areas, as well as those collected for other development sites in the wider landscape, provide a very useful overview of the bat assemblage in context. Analysis of these data provide insights into seasonal trends and activity by location. Detailed discussion and interpretation of the results is included.

At least thirteen bat species have been recorded within the surveyed area. The most significant finding is the presence of the very rare Bechstein's bat, which has been shown to roost on site in small numbers (although not during the most recent surveys) and which uses the site for foraging, commuting and presumably social purposes. The application site clearly forms part of a much larger area of habitat used by the local Bechstein's bat population, and there is a likelihood that the south-east Hampshire population is functionally linked to larger populations in West Sussex: indeed, a link has been proven for the common and widespread Natterer's bat. Following discussion with Natural England, I agree with the applicant's assessment that there is a likely (but so far unproven) functional link between Bechstein's bat populations in this area of south-east Hampshire and larger populations associated with the Singleton & Cocking Tunnels Special Area of Conservation in West Sussex,



approximately 15km east of the application site. Using a precautionary approach it is prudent to assume functional linkage between bat populations in these two areas and that impacts to bats and bat habitat within the application site would affect SAC supporting habitat.

I note the detailed analysis of data which appears to show that the application site itself does not support maternity roosts and that individual Bechstein's bats used the site for only a small percentage of time compared with off-site areas. Nevertheless, the importance of the site for this species is acknowledged. In terms of roosting bats, the site has been shown to support brown-long eared bat, Natterer's bat and Bechstein's bat. It is recognised that given the presence of woodland and trees on site it is highly likely that other bat species will roost also, and that bats continually change their roosting locations. The proposal will result in the loss of substantial areas of bat habitat in the form of woodland, trees and open grassland and will remove numerous trees with bat roosting potential.

Impacts to bat species will, at least in the short-term, be substantial due to woodland and grassland loss. In the longer term, the reservoir site (the open water, new wetland and grassland embankments) will offer suitable foraging habitat for a range of bat species. The proposed woodland enhancements will also offer new opportunities for bat species, as will the programme of roosting box installation (natural tree roost opportunities being generally scarce within surrounding forestry woodland and of course being reduced due to the loss of the Avenue). The proposed funding scheme should be focussed on securing meaningful landscape-level enhancements for bats such as reconnecting habitats; details of these can be provided at a later stage and their delivery should be a key indicator of mitigation success.

I understand that the applicant has been discussing licensing matters with Natural England specialists and that a bespoke approach to licensing is required. In terms of the LPA's judgement on the Habitats Regulations derogation tests, in recognition of the exceptional nature of this project I am willing to accept that the favourable conservation status of bats can be maintained if the proposed compensation and enhancement measures can be delivered as proposed: the use of soft-felling techniques, the reuse of tree limbs with roost features, and the installation of bat roosting boxes in the wider landscape are all suitable methods of mitigation. This very much depends on the delivery of meaningful off-site improvements that will benefit the same bat population. On the deliverability of landscape-scale mitigation, compensation and enhancement measures for bats I have provided further comment below.

Due to the exceptional nature of this project there is an unavoidable degree of uncertainty over the efficacy of proposed compensatory and enhancement measures. The new woodland plantings at Gipsies and Deerslaughter Plains (already completed) provides useful linkage between areas of woodland habitat but will not approach a comparable condition to the lost habitat for some decades although their function as a habitat corridor/foraging area in the coming years is acknowledged. In essence, lost habitat is not being directly replaced (certainly not in the short term) but rather the carrying capacity/suitability of existing habitat is being enhanced through a range of measures. Aside from direct comparisons of area measurements it is not really possible to robustly equate areas of loss to areas of compensation/enhancement in a qualitative manner: the proposed areas of enhancement far exceed those of impact and so one must assume that there would be a beneficial effect overall. The whole package of on- and off-site mitigation, compensation and enhancement measures together does provide for a robust framework

This development will affect bats, European Protected Species (EPS) which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (commonly referred to as the Habitats Regulations). Where developments

affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

Will the development result in a breach of the EU Directive?

Yes, unmitigated, the development has potential to result in harm to individual bats and result in impacts to the favourable conservation status of bat species locally.

Is the development unlikely to be licensed?

An EPS licence can only be granted if the development proposal is able to meet three tests:

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e))
2. there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and
3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).

It is for you as the case officer to assess the proposals against the first two tests – you may wish to ask for further information from the applicant. In order to assess the development against the third test, sufficient details must be available to show how killing/injury/disturbance of bats will be avoided and how any loss or damage to habitat will be compensated. In this case, I consider that sufficient information has been provided to assess impacts to bat populations. In terms of maintaining the favourable conservation status of bat species, the proposed mitigation, compensation and enhancement measures offer a comprehensive package of measures to avoid direct harm to roosting bats, to mitigate the impacts of habitat removal, to provide enhanced roosting opportunities on- and off-site and to provide substantial long-term landscape-scale habitat enhancements. This is an exceptional proposal and a bespoke approach is required. The application is supported by extremely detailed information on bats and the applicant has engaged in detailed discussions with Natural England licensing. On this basis I am confident that the favourable conservation status of bats overall can be maintained at the population level. As detailed below, I would recommend that full updated details of all bat mitigation, compensation and enhancement measures are provided alongside future applications for each phase of development.

Hazel dormouse

A population of hazel dormice is present, inhabiting woodland and scrub areas throughout the site. This is not surprising as the species is relatively widespread throughout Hampshire. The proposals will remove substantial areas of dormouse habitat and have the potential to result in harm to individual dormice and the severance and fragmentation of dormouse populations. Mitigation includes standard two-phase habitat removal coupled with the capture, holding and soft-release of animals within enhanced habitat outside the site boundary. This is the only realistic option to avoid direct harm to dormice and acceptable in principle. My main concern would be the security of any animal holding pens at this site: the high levels of antisocial behaviour means that damage to pens and animals within is a clear risk.

This development will affect hazel dormice, a European Protected Species (EPS) which

receives strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

In this case, I consider that sufficient information has been provided to assess impacts to hazel dormice. In terms of maintaining the favourable conservation status of this species, the proposed mitigation, compensation and enhancement measures offer a comprehensive package of measures to avoid direct harm to dormice, to mitigate the impacts of habitat removal, and to provide long-term landscape-scale habitat enhancements. The applicant has engaged in detailed discussions with Natural England licensing. On this basis I am confident that the favourable conservation status of dormice can be maintained at the population level. As detailed below, I would recommend that full updated details of all dormouse mitigation, compensation and enhancement measures are provided alongside future applications for each phase of development.

#### Birds

The main impacts will be from the loss of woodland and grassland habitat. The loss of grassland will result in the loss of breeding skylark and meadow pipit habitat. Lapwing used to breed more numerously at the site but numbers have dropped substantially in recent years, and the proposals would impact the single territory recorded in 2018. Other species impacted include woodland, scrub and grassland species such as song thrush, dunnoek, linnet, warblers and tits. Mitigation will entail the removal of suitable habitat outside the nesting season. In terms of compensatory habitat, the new woodland/scrub plantings, the new wetland and grassland and the off-site woodland enhancements will provide new opportunities for a range of bird species, albeit mostly different species.

#### Reptiles

The grassland and scrub/woodland edge habitats across the site support all four common reptile species in good numbers. A substantial area of reptile habitat is to be impacted, requiring the capture and removal of potentially hundreds of animals from the site. Mitigation measures comprise capture and translocation of animals to enhanced areas within adjacent woodland. This is acceptable in principle, although I would not underestimate the practical difficulties in capturing and removing so many animals from the construction site.

#### Amphibians

Great crested newts (GCN) occur within ponds in the surrounding area. I would not consider the proposals to result in significant impacts to this species and am content with the proposed mitigation, compensation and enhancement measures.

This development will affect GCN, a European Protected Species (EPS) which receives strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

In this case, I consider that sufficient information has been provided to assess impacts to GCN. In terms of maintaining the favourable conservation status of this species, the proposed mitigation, compensation and enhancement measures offer a comprehensive

package of measures to avoid direct harm to GCN, to mitigate the impacts of habitat removal, and to provide long-term habitat enhancements. The applicant has engaged in detailed discussions with Natural England licensing. On this basis I am confident that the favourable conservation status of GCN can be maintained at the population level. As detailed below, I would recommend that full updated details of all GCN mitigation, compensation and enhancement measures are provided alongside future applications for each phase of development.

#### Invertebrates

The loss of extensive areas of woodland, scrub and grassland habitat will undoubtedly impact various invertebrate species. The loss of a significant length of seasonal stream habitat will result in impacts to some rare/notable aquatic invertebrate species. Mitigation for terrestrial invertebrates includes the overall woodland enhancements and it can be expected that the new wetland area will support invertebrate populations. In terms of mitigating impacts to the seasonal streams, I understand that discussions between the applicant and the Environment Agency has resulted in a scheme of off-site river restoration measures, entailing in-channel and riparian enhancements.

#### Overall comments on protected and notable species

There will be substantial impacts to a suite of protected and notable species, resulting in the loss of a considerable extent of semi-natural habitat. Given the scale and timescale of impacts there is essentially no scope for retention of meaningful habitat within the site. The bulk of mitigation is therefore related to salvage of individual animals from the construction footprint and the timing of operations to minimise impacts. The removal and translocation of animals such as hazel dormice and common reptile species is reliant on the availability of suitable receptor habitat within adjacent land.

I am content that species capture and translocation works will be undertaken in an acceptable way consistent with best-practice guidelines.

#### Overall mitigation strategy

The proposed outline mitigation and compensation strategy relies on several strands: the removal of certain protected/notable species from within the construction footprint; the use of habitat manipulation techniques to render habitat less suitable prior to construction; a commitment to long-term habitat management works in surrounding land; the use of artificial nesting and roost boxes; a commitment to substantial new grassland and pasture-woodland habitats off-site; the creation of new habitats within the developed site; enhancements to retained watercourses and waterbodies; and the establishment of a fund for ecological improvements.

I acknowledge the large scope and scale of the proposed mitigation and compensation measures and the efforts employed to date in ensuring that key stakeholders have been involved in their scope and design. Within the reservoir site itself the proposed land-use changes are so profound that it is essentially impossible to make meaningful comparative judgements between losses and gains that take full account of impacts to habitats, species and the local ecological network. Whilst recognising the significant ecological impacts arising from the proposal, there is no doubt, in my opinion, that there would be a significant biodiversity gain from a wetland habitat on such a vast scale and I very much welcome the proposed dedicated wetland habitat at the northern shore of the site. The wetland (containing open water, marsh, wet woodland, exposed muds and wet/damp grassland) will provide a valuable habitat for many species that do not currently occur as well as for many of the species already present. The benefits of the new reservoir and dedicated wetland area should be felt within the nearby designated Solent coastal habitats: it can be expected that bird species associated with the Solent SPAs (especially waders, wildfowl and terns) will utilise the reservoir and wetland. The additional habitat may assist in mitigating the effects of

recreational pressure on the Solent intertidal and terrestrial habitats. The expected reduction in nutrient input to the Solent will also be of overall benefit.

The extensive enhancements to woodland habitat within the immediate surrounds and further afield are ambitious and would almost certainly provide benefits for a range of species associated with woodland, scrub and edge habitats. The delivery of enhancements is dependent upon a long-term commitment and partnership working with adjacent landowners. Woodland management operations should increase the availability of open areas such as rides and track junctions and also rotational coppice, suiting species such as invertebrates, birds and hazel dormouse. Post-construction, the reservoir embankments will provide valuable grassland habitat that will likely be of greater species-richness than the existing site. This habitat will be attractive to ground-nesting bird species that are to be impacted by the proposed works.

The site as proposed would undoubtedly be a significant visitor attraction and presents many opportunities for promoting the natural environment. The proposed visitor centre should act as a hub for visitors and is an excellent opportunity for public engagement and interpretation: I do not personally see an issue with this being situated at the water's edge and consider that this provides an excellent opportunity to engage the public as happens at many large wetland sites. It is hoped that public engagement activities will take place in future years. The landscaping areas surrounding the visitor centre offer an opportunity for further wildlife-rich habitat and I would expect that every opportunity is taken to embed biodiversity within the more formal areas of the site through the use of wildflower-rich grassland throughout as well as the provision of locally-relevant habitats such as acid grassland/heathland/bare ground.

Overall, I am supportive of the outline proposals for biodiversity mitigation, compensation and enhancement. Following consultation responses from myself and Natural England, further information has been provided on the scope, location, timing and delivery of off-site measures. These are contained in the submitted Implementation Plan and the four Action Plans contained within. In summary, proposed off-site mitigation, compensation and enhancement measures include:

- Creation of 60 Ha of pasture woodland and 20 Ha of neutral grassland.
- 72 Ha of woodland enhancement within Southleigh Forest.
- 5.5km of watercourse enhancement.
- £40,000 per annum for 30 years from 2029 towards Capital Grants Scheme.

The location for the creation of the pasture woodland and neutral grassland totalling c.80 Ha is yet to be confirmed, and it is stated that several options are being reviewed across the local landscape. I understand that one option entails woodland situated to the east of the application site. The scope of proposed works is detailed, with the stated purpose of enhancing the local ecological network by creating and enhancing woodland linkages. There is clearly work to do in determining the location and extent of these proposals but I am supportive of this measure.

Southleigh Forest is owned by Portsmouth Water. Much of the woodland is classified as Plantation on Ancient Woodland (PAW) and it is proposed to actively manage these areas, alongside areas of non-plantation ancient woodland, to improve habitat quality. A management plan is being devised by the Hampshire & Isle of Wight Wildlife Trust and will be funded by Portsmouth Water. The plan is being developed currently and will be subject to review and comment by key consultees.

A package of proposed enhancement works to various ephemeral watercourses has been agreed in principle with the Environment Agency's part of the Article 4.7 Water Framework Directive. These measures will provide enhancements to headwater streams north of the proposed reservoir as well as to several watercourses within the wider landscape to the south. The proposed measures include channel restoration of e.g. profile, banks, channel substrate; on-line ponds; improvements to other pond habitats; areas of plant translocation. It is the view of the EA that, subject to legal agreement, these measures will ensure that 5.5km of watercourses are enhanced and is sufficient to compensate for the identified impacts.

The proposed Capital Grants Scheme will provide c. £40,000 per annum for 30 years from 2029 onwards in order to deliver projects to enhance habitats in the local landscape.. An outline list of project objectives has been provided, focussing on enhancing the local ecological network, enhancing knowledge of protected species distribution and status, and providing equipment for local knowledge gathering. It is proposed to establish a steering group to assess potential projects and monitor the scheme.

Overall, I welcome the submission of the Implementation Plan and Action Plans. These provide a useful level of further detail to demonstrate the scope of the proposed works and methods of delivery. I do acknowledge that there is uncertainty over the exact location and nature of some aspects but consider that these further details can be provided through future planning submissions and secured through appropriate legal agreements. I would suggest that, subject to the satisfaction of other key consultees, the submitted outline details form the basis for planning conditions. These should secure further full details for each recognised phase of works, the effect of which should be that works cannot proceed until all details are agreed.

The key issue is to ensure that for each phase of development there is a clear strategy for ecological mitigation, compensation and enhancement. The strategy should ideally be contained within a single document, of a consistent form, providing full details of the phase of development works and the ecological measures that will address any identified impacts. In recognition of the mix of on- and off-site measures, and the likely complex timing of delivery (with off-site measures being delivered in a rolling programme at various locations and times), any condition wording should allow for flexibility. An essential component is to have a 'running total' of mitigation, compensation and enhancement delivery in order that the applicant, LPA and other stakeholders can keep track of what is being delivered, where and by whom. I would strongly recommend the use of tabulated information and spatially presented data.

### **1.3 County Minerals**

Hampshire County Council as the local minerals and waste planning authority is pleased to see that the applicant has acknowledged within paragraphs 5.90 – 5.93 and A.87 – A.93 of the Portsmouth Water Planning Statement, the proposed development lies within the mineral and waste consultation area (MWCA) – Minerals section. This area is informed by the mineral safeguarding area (MSA) as defined through Policy 15: Safeguarding – mineral resources of the adopted Hampshire Minerals and Waste Plan (2013) (HMWP) and indicates where viable, safeguarded mineral resources are likely to be present.

The purpose of this policy is to protect potentially economically viable mineral resource deposits from needless and unnecessary sterilisation. The policy seeks to encourage the recovery, where possible, of potential viable mineral resources prior to development, this concept is known as prior-extraction.

Prior-extraction offers potential opportunities to reuse recovered minerals within the

development itself or upcycle them to nearby aggregate recycling facilities. This in turn has strong potential to reduce the amount of waste generated through excavation on site as well as reducing the need for imported construction material.

As stated within the Planning Statement, the application proposes to reuse approximately 1.7 million m<sup>3</sup> of excavated material within the development itself.

Based upon our data, there is potentially approximately 73.62 ha of safeguarded Brick Clay material underlying the reservoir area. While the reuse of excavated material is supported under Policy 15 of the HMWP, the County Council would like to encourage the applicant to liaise with an operator who utilises Brick Clay to ascertain any demand for the mineral resources potentially underlying the site. Currently, Hampshire has one operational brickworks – Michelmersh Brickworks, near Romsey.

#### **1.4 Hampshire Police – Crime Prevention**

##### **Original response**

The National Planning Policy Framework makes clear the Governments continuing commitment to “create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience”.

National Planning Practice Guidance advises, that planning has a role in preventing crime and malicious threats. It reminds Local Authorities of their obligations under Section 17 of the Crime and Disorder Act 1998 (as amended), specifically “to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.”

We receive regular reports of crime and disorder occurring within this area. Many of the disorder reports relate to the riding of motor cycles about the area.

Two vehicular accesses are to be created into the development one from Swanmore Road and the other from Manor Lodge Road (B2149). This will create a short cut between Swanmore Road and Manor Lodge Road (B2149) this connectivity will increase the opportunities for crime and disorder (Anti-Social Behaviour (ASB)), within the nearby area and the development itself. To reduce the opportunities for crime and disorder, a single vehicular access to the development should be provided from Manor Lodge Road (B2149), as is currently the case. If consent is granted for the vehicular accesses and vehicular connectivity as shown, Hampshire Constabulary object to this aspect of the development.

Currently many of the incident reports we receive regarding this area relate to the inappropriate riding of motor cycles. This proposal will create a number of cycle and pedestrian walkways, all of which will be ideal for the riding of motor cycles. Some consideration should be given as to how this activity is to be prevented, and appropriate features put in place to prevent it.

An outline application is submitted for the facilities within the site, the following relates to these facilities. The site is isolated, at night the site will be very vulnerable to crime and disorder. Any buildings within the site will be very vulnerable to crime. Buildings should be designed to minimise the opportunities for crime and disorder. To that end, the number of doors and windows within the buildings should be kept to a minimum.

To provide for the safety and security of visitors Closed Circuit Television (CCTV) cameras should be installed within the car park. These cameras should be linked to a monitoring station to provide for immediate response to incidents as they are occurring. Lighting throughout the car park should conform to BS 12464. Arrangements can be made to switch off this lighting after the café is closed and visitors might reasonably be expected to have left the site.

### Response to additional information

No Objection - My previous letter of the 4th December 2020, highlights my main concern, being the creation of a vehicular route between Manor Lodge Road (B2149) and Swanmore Road. There would be very little natural surveillance of the route (especially during the hours of darkness) which would increase the opportunities for crime and disorder, within the local area and within Havant Thicket. My preference would be for one vehicular access into the site from the Manor Lodge Road (B2149). However, if physical barriers and landscaping can be used to prevent motor vehicles transiting between the two roads via the site and a management plan is put in place to address any Anti-Social Behaviour (ASB), that will provide sufficient mitigation for me to withdraw my objection.

The on-site car parking must have sufficient capacity to accommodate all visitor vehicles. We would be concerned if this development caused the parking of visitor's motor vehicles on Swanmore Road, or other residential roads within the local area.

The comments contained with my letter of the 4th December 2020 with reference to the prevention of motor cycle nuisance, building security, lighting and Closed Circuit Television (CCTV) are still relevant.

The access route from the north is to be a single track with passing places, a sufficient length of double carriage roadway must be provided at the access from the B2149 so as to prevent a build-up of vehicles waiting to enter the site causing obstruction on Manor Lodge Road (B2149).

## **1.5 Environment Agency**

The increase in water supply from the building of the reservoir will enable a bulk supply of water to be supplied to Southern Water. They have a forecast deficit in water in the Hampshire area due to required reductions on their abstraction licences on the heavily designated Rivers Test and Itchen. Additional water made available from this scheme will help meet this forecast deficit. The scheme is already included in both Portsmouth and Southern Water's Water Resource Management Plans.

We are now in a position to confirm that we have no objection to the planning proposals as submitted subject to a number of conditions and/or legal agreements on a variety of issues including flood risk and the Water Framework Directive. Please see our detailed comments below in relation to each area of our remit and the requirements that we are seeking in order to ensure that the project is delivered in a way that protects and enhances the environment.

### Water Framework Directive (WFD)

The environmental objectives of the WFD are set out in Article 4 of the Directive and relate to ensuring the continued protection of the condition of all waterbodies and the development of plans to deliver measures to improve failing water bodies to a good condition (or better). The two key objectives against which new developments or schemes should be assessed are;

- No deterioration of status (or potential) for surface and groundwaters; and
- Achievement of good status (or potential) by 2021 or 2027, for waterbodies currently failing to achieve this status or potential.

WFD compliance assessments for new developments and schemes must demonstrate that the proposals will not result in the deterioration in status (or potential) of any water body. Where a waterbody is at a status less than good (or potential), it must be demonstrated that the implementation of the proposals will not prevent the water body from meeting good status (or potential) in the future.



Following the completion of a WFD compliance assessment, Havant Thicket Reservoir was deemed to have the potential to cause deterioration of the impacted water body of the Riders Lane Stream which is part of the Hermitage Stream water body. The main area of concern relates to the construction of the embankment and reservoir footprint. The resulting loss of habitat is significant with the direct loss of 3.7km of headwater habitat within the Riders Lane Stream. The length of watercourse lost will account for approximately 42% of headwaters and 18% of the entire length of watercourse within the water body.

The WFD uses the term "quality elements" to refer to the different indicators of ecological quality comprising its ecological status classification schemes. The quality elements used to assess ecological status are: biological, chemical and physicochemical, and hydromorphological quality elements.

The assessment identified that both biological and hydromorphological WFD quality elements were at risk of deterioration. Specifically invertebrates, macrophytes phytoenthos and hydromorphology. A deterioration of any one, or more quality element can cause an overall deterioration and lowering of class status at the water body scale, this is contrary to the objectives of WFD.

In a situation where there remains a potential for deterioration, even after including embedded mitigation, the scheme can only go forward if granted a derogation under Article 4.7 of the WFD. To do this, evidence is required to meet a series of "Tests". This information is set out in document reference - HTR-ATK-XX-XX-RP-2-0067.

We attended a number of workshops with Portsmouth Water and their consultants to determine the evidence requirements to meet the tests of Article 4.7, these being:

- a) All practicable steps are to be taken to mitigate the adverse impacts on the water body concerned;
- b) The reasons for modifications or alterations are specifically set out and explained in the RBMP;
- c) The reasons for those modifications or alterations are of overriding public interest and/or the benefits to the environment and to society of achieving the objectives set are outweighed by the benefits of the new modifications or alterations to human health, to the maintenance of human safety or to sustainable development, and;
- d) The beneficial objectives served by those modifications or alterations of the water body cannot for reasons of technical feasibility or disproportionate cost be achieved by other means, which are a significantly better environmental option.

The WFD Article 4.7 assessment (document reference - HTR-ATK-XX-XX-RP-2-0067) describes the outcome of this process. We have worked with Portsmouth Water to identify a long list of practicable measures that would be appropriate to fulfil Article 4.7 test (a). We have agreed that that this long list was sufficient for the purposes of fulfilling the Article 4.7 derogation. We reviewed the information contained within WFD Article 4.7 assessment which outlines the reasoning for the potential non-compliance under the WFD and details the necessary justification to meet each of the tests required under the derogation process. We are satisfied that sufficient evidence has been provided to meet the tests and can therefore be used to inform the decisions of the relevant Local Planning Authorities (Havant Borough Council and East Hampshire District Council) when deciding the outcome of the submitted planning applications.

Following the above process, a shortlisting exercise was undertaken to reduce the list from the full list of practicable measures to a short list of deliverable options which could be used to define the level of mitigation and compensation required for the watercourses impacted by the scheme. We have had ongoing dialogue with regard to this process which has resulted in a short list of deliverable measures being derived. We have confirmed that we are content

that 'package 2' (as laid out in document reference HTR-ATK-XX-XX-PP-T-0003 Implementation Plan for Off Site Mitigation and Compensation Appendix 3) includes sufficient mitigation and compensation for the scheme. We believe that this package provides sufficient length of watercourse improvement (5.5km) and an appropriate balance of measures to satisfy both the Article 4.7 requirements and also Biodiversity Net Gain commitments, which is discussed below.

In agreeing the package of mitigation and compensation with Portsmouth Water, it has been critical to identify measures that are both environmentally sound and appropriate for the scale of loss that will result from the development. The impacts that have been identified cannot be readily mitigated or compensated for, due to the distinctiveness of the habitat. Meaning the habitat to be lost cannot be recreated. Therefore, we have sought a package of measures that once implemented will provide a joined up network of quality habitat improvements that will mitigate and compensate against the high value conservation habitat lost from the scheme.

Therefore, the proposal will only be acceptable to us and legally compliant under the Water Framework Directive once the package of measures has been secured. We advise that a legal agreement should be put in place to secure the delivery of the mitigation and compensation package proposed by the applicant.

The agreed package, for the water environment includes both on-site and off-site mitigation, and compensation totalling up to 5.5km of watercourse improvement. The on-site mitigation and compensation plan (approximately 1.57km) concentrates efforts in the headwater streams upstream of the reservoir. Off-site mitigation and compensation is spread across the wider catchment and includes measures on other reaches of the Riders Lane Stream (part of the Lake Stream) (approximately 0.45km), Hermitage Stream (approximately 2.99km) and Park Lane Stream (approximately 0.47km). Improvements along Lake Stream will provide mitigation for distinct species lost under the Scheme's footprint.

We agree with the principles set out in document HTR-ATK-XX-XX-PP-T-0003. A full implementation plan will need to be agreed, which we want to be consulted on. A robust governance process for timely implementation of the mitigation and compensation should also be put in place. This must be secured through the planning permission process.

The package of measures includes restoration of the Hermitage Stream. The measures proposed are based upon feasibility and design work undertaken jointly by Havant Borough Council and Environment Agency in 2013. We shared with Portsmouth Water all the information that was compiled at the time, including drawings and costings. The mitigation and compensation measures agreed as part of the water environment package should be in keeping with the design work previously undertaken, including the removal of concrete bed and banks.

Portsmouth Water have provided approximate costs for the package of measures detailed in a technical note dated 11/03/21 (Version 3). We do not consider the cost presented in this paper as a cost cap. The figure presented is based upon our costings from 2013 (which are now somewhat dated) and the design team's judgment. We believe the costs presented are realistic but require further assessment.

Portsmouth Water will be responsible for delivering the quantum of mitigation and compensation agreed. However, the company may choose to work with a delivery partner to achieve cost effectiveness. We are not opposed in principle to agreeing a cost cap for the water environment package, but this will need further discussion.

Portsmouth water will be responsible for delivery of the mitigation and compensation agreed. If the identified measures are shown to be unfeasible, additional measures will

need to be identified that provide the same if not greater length of water watercourse improvement and contribution to the environment.

Document HTR-ATK-XX-XX-PP-T-0003 sets out the broad timescale for the delivery of the water environment mitigation and compensation package. Whilst we support this in principle, we strongly recommend that as part of any legal agreement a detailed delivery plan is agreed, which we would want to be consulted on.

Portsmouth Water have confirmed via the WFD assessment processes that neither the construction of the pipeline or emergency drawdown will preclude future restoration of the Hermitage Stream, which is a fundamental part of their Water Environment mitigation and compensation package. Consideration should be given to aligning the timing of the pipeline construction with that of the compensation measures identified for the Hermitage stream.

### Biodiversity

The development will result in the loss of 3.7km of watercourse as described above, as well as other wetland habitats. This scale of loss is significant and without mitigation and/or compensation would be unacceptable.

Appendix A9.3 Aquatic Ecology (document reference: HTR-ATK-ZZ-ZZ-RP-Z-0147) has shown that the watercourses to be impacted by the development support rare and nationally scarce aquatic invertebrates. The specialist taxa that have been identified are indicative of groundwater supply and ephemeral flow conditions. This form of headwater stream habitat is of high conservation value and a Priority Habitat.

The Environmental Statement (document reference HTR-ATK-ZZ-ZZ-RP-Z-0109) acknowledges the value of the streams that will be lost. "9.150. Given the ephemeral nature of the intermittent headwaters of Riders Lane Stream, as well as their position within a more rural setting in an otherwise predominantly urban catchment, these watercourses are considered to be intrinsically important. They provide a unique habitat that acts to improve aquatic species diversity and functional habitat resilience as a potential primary colonisation source for the catchment".

As described above, this habitat and therefore the species which are supported cannot be readily mitigated or compensated for, as it's a habitat type that cannot be recreated. This is why ensuring a package of mitigation and compensation at appropriate scale for the loss is critical.

Section 3 of the Biodiversity Net Gain for Rivers assessment describes what is believed to be inconsistencies with the Biodiversity Metric 2.0., and their influences on the calculations. We acknowledge that the Defra Biodiversity Metric is still evolving and the uncertainties this may have caused for the assessment. Section 3 identifies three main areas of concern. The distinctiveness score, time to target and the rationale for calculating units based on river length, rather than area. A Biodiversity Metric 3.0 is currently in preparation and is due for release soon. We feel that the updated metric addresses the points raised in relation to distinctiveness and time to target. Our understanding is that the updated metric will continue to use river length and not area. This recognises the importance of river habitat and processes that underpin their functionality. We believe whilst the bespoke package of measures deviates from the metric, it does however provide measures that not only fulfil the requirements of the Water Framework Directive but provides significant gains for the environment.

Further impacts to these watercourses would continue through subsequent construction phases, including borrow pit excavation, embankment construction and reservoir filling, until these streams are fully lost under the footprint of the reservoir". What is not clear is how the flows (including sediment management/pollution

prevention) to the downstream watercourse will be managed during construction, this will need to be addressed at detailed design.

#### Flood Risk

We have reviewed the FRA Model, the breach model, the emergency discharge modelling and the impact of the reservoir on the flood risk. The modelling has been signed off through a review process which confirms that the techniques and assumptions used are satisfactory.

The proposed development will however only meet the National Planning Policy Framework's requirements in relation to flood risk subject to relevant planning conditions.

We can provide the following information on the characteristics of flooding at this site to help with your decision:

The FRA states that the requirements of the Reservoirs Act 1975, and proposed mitigation measures in place (including but not limited to the emergency discharge strategy, the regular maintenance and inspection of the reservoir) make it highly unlikely that a breach will occur. Regardless, the breach and associated failure of the embankment has been modelled as required by the Reservoirs Act 1975. Figure 8.1 of the Flood Risk Assessment indicates the impact of a breach event on the nearby communities downstream of the reservoir.

We have reviewed the associated flood risk model of the Reservoir, including the model generated to help assess and inform the FRA and Emergency Discharge. As well as this proposed modelling, we have also reviewed the proposed Breach Model, separately from the planning application. Following our reviews of the models, we are satisfied with the techniques used and subsequently the accuracy of the conclusions and assessment of the flood risk that all models generate.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the PPG.

#### Water Quality

Ongoing discussion with the Applicants and their consultants resulted in an agreed approach to establishing a baseline and undertaking an impact assessment for hydrology and water quality. The water quality model applied to this project was developed through extensive consultation with us and we can confirm that the resulting model is a suitable basis for modelling the water quality impacts of the projects. The bespoke model has provided a useful quantitative element for the assessment of impacts on water quality. Overall, the results of the modelling and analysis show the water quality in the reservoir will be good, there will be a low to moderate risk to water treatment from algal growth. Impacts on the downstream watercourses however are positive with a clear improvement in water quality predicted due to the quality of the Havant and Bedhampton Spring Water being of better quality than the existing water in the Hermitage Stream.

#### Groundwater Protection

The majority of the works associated with this development are on greenfield locations And underlain by unproductive strata or secondary aquifers. As such there are not likely to be many groundwater quality/contamination issues with the proposed development. The Bedhampton and Havant springs Source protection zone would occur at depth beneath the site. This source provides a strategically important water

supply, including for the proposed reservoir, so should be suitably protected.

### **1.6 Forestry Commission – The Government advisors and specialists in woodlands**

The Forestry Commission is pleased to offer the following advice as to the likely impact of the proposals on woodland, in particular ancient woodland, as the Government's specialists in woodlands. Our role is distinct from any which may be provided by Forestry England whose role is management of the public forest estate.

While we appreciate the water resources drivers for the reservoir we would advise that any loss of ancient woodland should be restricted to that which is absolutely essential to the reservoir itself i.e. the direct footprint of the reservoir and dam. Loss due to associated activities would not meet the 'wholly exceptional' description quoted in the NPPF.

In this context we draw your attention to the proposals for a northern access road. These proposals would cut through an area of ancient woodland (as shown on Natural England's provisional Inventory of Ancient Woodland) and be likely to have the following impacts:

1. Direct loss of ancient woodland: in particular we draw your attention to the loss of ancient woodland and associated features (including a grove of veteran yew trees) along the proposed route from the ancient park pale (woodbank) to the B2149. and the loss that would result from widening the existing forest ride/track along the NW boundary of Havant Thicket
2. Significant fragmentation of this ancient woodland; and its interaction with adjacent priority open habitats to the north.

#### **References to the ecological character of Havant Thicket:**

Natural England's Provisional Inventory of Ancient Woodland shows much of Havant Thicket, including Horsefoot Hill, as Plantation on Ancient Woodland Site and Section 1.2 of the OUTLINE BIODIVERSITY MITIGATION AND COMPENSATION STRATEGY states: 'Forestry England (FE) own Havant Thicket, located to the north of the reservoir, this area consists of approximately 99 hectares of predominately pine woodland.'

We would point out that the majority of the conifers in Havant Thicket were felled almost two decades ago and the woodland has been actively managed to encourage the regeneration of native broadleaved trees as part of its long term transition back to ancient woodland – as illustrated in the 2005 and 2015 aerial photo's available from Google Earth Pro and the oblique Google Earth aerial copied on the next page. As such we would point out that the majority of this woodland has been successfully restored to 'ancient and semi-natural woodland'.

#### **Compensation and mitigation proposals:**

The National Planning Policy Framework affirms that ancient woodland is irreplaceable and development resulting in the loss or deterioration should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

We advise that such a compensation strategy for loss of woodland beneath the reservoir should include SIGNIFICANT new woodland which is located and designed to optimize the ecological and wider ecosystem services it provides. We suggest that such new woodland should be sited to link and buffer existing ancient woodland in the local area. Ideally this new woodland should provide ecological corridors for key species impacted by the development while also helping enhance the wider social benefits of green infrastructure (such as access

routes for local people).

The OUTLINE BIODIVERSITY MITIGATION AND COMPENSATION STRATEGY provided with the planning application, in relation to compensation for ancient woodland loss, focuses on:

enhancement of existing woodland, creation of new wood pasture and small areas of woodland creation.

In respect of the proposed package of compensation and mitigation we advise that:

- The creation of wood pasture and small areas of new woodland are included in the proposed compensation package. However, in our opinion this package is 'less than significant' in respect of compensation for loss of ancient and semi-natural woodland.
- The project will understandably generate greater public access to the site and adjacent woodland. This access brings considerable public benefits but inevitably increased pressure on these sites which requires mitigation.

- A major proportion of the proposed compensation/mitigation package relates to the management of existing woodland, for instance the proposals referred to as the 'Birch Dominated Compensation Areas' in para 3.2.2. We advise that compensation should comprise replacement of the specific habitats lost rather than management of existing habitats. Mitigation for the impacts of a development should be additional to management which would be expected as the best practice.

- The compensation/mitigation package also includes creation of open space within existing ancient woodland. While open space is an integral part of most well managed woodland the creation of new permanent open space in ancient and semi-natural woodland would change the soil structure which is so key to these irreplaceable habitats. Management of rotational open space or rideside scrub/coppice is more in keeping with an ancient woodland.

- In respect of compensation for the loss of veteran trees we suggest that a program to identify all the veterans, and trees with veteran characteristics, in the local area and establish a management and succession strategy for them would be valuable.

Response to additional information:

We should also reiterate that while we appreciate the water resources drivers for the reservoir we would advise that any loss of ancient woodland should be restricted to that which is essential to the reservoir itself i.e. the direct footprint of the reservoir and dam. Loss due to associated activities would not seem to meet the 'wholly exceptional' description quoted in the NPPF.

Having reviewed the documentation which has been submitted since our initial response of 14th December 2020 we advise:

1. Northern Access Road - where proposals would have significant impact on ancient woodland:

a. Alternative routes which avoid or significantly reduce the impact on the ancient woodland do not appear to have been considered;

b. Proposed route:

i. emphasis has been made that the access proposals follow the route of an

existing track within Havant Thicket managed by Forestry England and suggestions have been made as to how the impacts could be reduced; however

ii. reference to the section of ancient woodland between Havant Thicket and the B2149, where no hardened track currently exists, relates only to its junction with the B2149; no analysis seems to have been provided as to the impacts of the proposals on this area of ancient woodland where the grove of ancient yew trees and the historic 'park pale' would appear to be impacted.

## 2. Compensation and mitigation:

a. Compensation for loss of ancient & semi-natural woodland: If the council/s were to decide to approve the reservoir proposals there will be a loss of ancient woodland. We advise that a substantial amount of new woodland should be established as compensation. We do not suggest an area 'ratio' based on the area of ancient woodland lost but suggest that the compensatory woodland should deliver significant ecological value. We note Portsmouth Water's response to Natural England's comments and reference to 60 ha of woodland/wood pasture creation. It is not yet clear where this compensatory woodland would be located so must advise that:

i. A proportion of the compensation should be woodland (as distinct from woodpasture which delivers appropriate compensation in other respects) to compensate for the loss of ancient woodland and this should deliver significant ecological value;

ii. If this/these new sites are not considered in detail as part of the planning application then they will constitute afforestation proposals under the Environmental Impact Assessment (Forestry) Regulations and as the relevant authority the Forestry Commission's advice would need to be sought to determine whether such afforestation proposals constitute relevant projects under these regulations. We must also advise that if the wood pasture areas comprise greater than 20% canopy cover at maturity they would also be subject to the Forestry EIA Regulations.

b. Mitigation/compensation within existing woodland – Havant Thicket and Southleigh Forest: While enhancing the management of these woodland sites is highly commendable we advise that work considered as mitigation or compensation should be distinct from that which would be considered good woodland management. Any such work should respect the ancient woodland character in particular soils and ground flora. For woodlands of this scale we recommend preparation of a Woodland Management Plan.

Such plans help identify the particular features of the woodland, any key threats (such as invasive species, herbivore pressure impacting ground flora and/or natural regeneration or disease), appropriate management and when approved by the Forestry Commission include appropriate felling licences.

## 3 c. Mitigation for increased public impact on existing woodland:

Understandably the proposals would enhance the public recreation pressure on the site and the benefits that would bring to local people. However, such access will require management which we advise should be considered in any mitigation package.

We very much appreciate the many and diverse aspects which are encompassed in a project such as this. We have focused our advice on aspects relating to trees and woodland. We remain happy to discuss proposals further and help identify opportunities to compensate and mitigate for adverse impacts and optimize the positive impacts.

## **1.7 Hampshire Highways**

### **Original response**

#### Assessment Phases

The application has been assessed within two phases. There is the operational phase for when the site is built and operational as a country park. There is also the construction phase which has also been assessed for its impacts in Highway terms.

#### Operational Phase

##### *Accessibility*

The applicant has provided commentary on existing pedestrian and cycling provision in the vicinity of the site, including details on the PRoW network which sits within the red line boundary of this planning application. The Highway Authority are content with the review with regards existing pedestrian and cycle provision outside the PRoW network. Countryside Services manage the PRoW and shall make relevant comments regarding the assessment work carried out by the applicant with regards these matters.

Whilst the summary of the provision is considered appropriate it is not clear how the proposed development will be accessed from the existing pedestrian and cycling provision, both from the east across the B2149, and from Havant and Staunton Country Park to the south of the site. The applicant has suggested that 30% of all trips within a 15 minute catchment of the site will access by non-car modes, however it is not clear on the likely pedestrian and cycling routes into the proposed site and how these are integrated to provide clear and well defined connectivity.

It is noted that the applicant has been in discussion with Hampshire County Council's Countryside Service regarding the internal diversion and extension of the PRoW network, however as per the above it is not clear if this includes further connections onto existing provision.

In addition, there are no details on how the development site to the north, Land East of Horndean which has resolution to grant subject to a Section 106 legal agreement, will be connected to the site for sustainable modes. A pedestrian connection, preferably off highway, to ensure future development and catchment area to the north will not rely on private car use to access the site should be provided.

##### *Personal Injury Accidents*

The applicant has provided 5 year data between 1st January 2015 and 31st December 2019 which is stated to be the latest data, however due to the timing of the application, this is not agreed by the Highway Authority. The data for the proposed access locations on the B2149 and Swanmore Road/Calshot Road have been derived from Hampshire Constabulary and is acceptable. The remaining junctions have used CrashMap which is not currently accepted by the Highway Authority due to the lag in available data from this system.

The applicant has provided a basic review of the recorded accidents however has not provided any context to the accidents themselves and has not included the raw data which contains further information relating to the recorded accidents. In addition, it is not clear why the scope stops on Calshot Road at the marked location when further



recorded accidents are evident on the remaining network which will be subject to additional traffic relating to this development.

The current information provided does not include enough information for the Highway Authority to agree with the applicant's position that the development will not exacerbate any accident trend and will need to provide more detail to the Highway Authority, namely;

- An agreed scope of assessment with the Highway Authority
- Latest 5 year data from Hampshire Constabulary
- A detailed review of the recorded accidents within the agreed scope
- Provision of appropriate mitigation or amendments to the proposed strategy to prevent exacerbating any identified accident trends.

#### *Baseline Conditions*

Baseline traffic survey data was undertaken at 15 junctions which were previously agreed with the Highway Authority and at the time of agreeing, the assessment level and scale of the proposals were unknown.

Initial junction turning count surveys were carried out for 12 of the junctions on Saturday 7th March 2020 and Tuesday 10th March which were undertaken before full COVID-19 restrictions were in place and are therefore considered acceptable.

The remaining three junctions namely; Dell Piece East/B2149/Havant Road/Private Access, B2149/Middle Park Way and Woolston Road/Middle Park Way were undertaken on Thursday 19th March 2020 and Saturday 21st March 2020 at which point COVID-19 restrictions were being enforced.

The applicant has applied an uplift factor of around 15% to account for the reduction of traffic volumes due to COVID-19 restrictions. This has been done by comparing ATC flows which were taken over two-week periods pre and post COVID-19 restrictions.

The Highway Authority have compared these flows with 2018 data undertaken as part of the Land East of Horndean (55562/005) development, it appears that a 15% uplift is low when comparing to the 2018 flows, which found circa 20% reduction in trips. The Highway Authority however accepts that the flows and uplift factor is acceptable in this instance as the difference in the applicant's flows and the Highway Authority's interrogation would be equal to monthly and annual traffic flow fluctuations. For example there has been a recorded 1% increase in two-way traffic flow in the 2020 AM Peak and 7% decrease in the PM peak when compared with the 2018 flows. The uplifted flows at the three aforementioned junctions are therefore considered suitable in this instance.

#### *Trip Generation*

The level of vehicular trips generated by the proposed development have been calculated in a separate report titled 'Visitor number and recreational amenity facilities review' found in Appendix A, based on reviewing alternative comparable attractions across the UK and reviewing against Queen Elizabeth Country Park to establish a peak hour trip rate.

The report provides a detailed assessment of how the likely trip generation is calculated which the Highway Authority has reviewed and is satisfied provides a robust

methodology for peak hour trip rates.

#### *Trip Distribution*

As it currently stands, the Highway Authority does not agree with the distribution proposed by the applicant. A gravity model has been used to establish the likely routes vehicles will use to access the proposed development and has used MSOA from Census 2011 data, the use of which is considered acceptable. However, the applicant has then distributed the trips associated with that MSOA on the road network using journey time cordons and straight line distances which is not considered acceptable.

At present, the applicant proposes that 34% of traffic will utilise the proposed southern access onto Swanmore Road and 66% will use the northern access. Of the 66% using the northern access, it has only assigned 3% travelling north along the B2149. The current distribution shows that 32% of trips using the southern access will only travel from the west and 2% from the local area.

The Highway Authority has undertaken a desk based journey planning exercise which would distribute a greater number of vehicular trips north on the B2149 from areas such as Hayling Island, Havant, Emsworth, Chichester and to some extent Bedhampton. This is based on current journey times in the identified peak hours and accounts for current delay on the local road network. Additionally, the Land East of Horndean development will add junctions, and short term delay during construction, due to the alterations to the local road network to the north of the proposed development site.

The Highway Authority has requested the applicant to review their trip distribution model, which is fundamental to the proposed access strategy and needs to be agreed before further work can be undertaken on determining the suitability of the accesses and wider assessment on the impact of the development.

#### Access Strategy

The Highway Authority has previously discussed the access strategy with the applicant and tabled the concerns prior to the submission of the planning application. Whilst the Highway Authority has a number of engineering concerns relating to the northern access, the principle of providing an access from the north is supported. The primary concerns relating to the southern access relate not to its junction form but the principle of the access and the routing of traffic through the Leigh Park area. This is something that has been strongly opposed through the Dunsbury application for both construction traffic, trips to the site and through traffic and this is reflected within the design. Whilst it is acknowledged that the type and frequency of trips to the proposed development are of a different scale and nature, a careful balance must be struck to ensure that a southern access does not have a determinantal effect on the Leigh Park area or give rise to additional safety concerns. Until the trip distribution is agreed, neither access proposal can be progressed or fully commented on as the final form and scale cannot be agreed. The below commentary provides an overview of the issues which have been shared with the applicant.

#### Northern Access – B2149

Drawing HTR-ATK-AR-RE-DR-D-001 shows the proposed access to the north which

comprises of a ghost island priority junction onto the B2149 and an independent Road Safety Audit has been submitted to support the access proposals.

In accordance with DMRB CD123 ghost islands shall only be used where major road traffic flows allow traffic turning right out of the minor road to do so in one manoeuvre. Given average daily flows of above 15,000 on B2149 and addition of 700 daily movements on the access this would mean that Single Lane Dualling should be considered. Trip distribution is key to agree the number of likely vehicles egressing the northern access by turning right, travelling south on the B2149 to establish if this is a likely manoeuvre and may lead to vehicles stopping in the carriageway as they cannot turn right in one movement.

The independent Road Safety Audit states that the B2149 is a high speed road subject to national speed limit. Four of the seven collisions which occurred along the route in the involved overtaking vehicles. Drivers who fail to realise there is a junction ahead may attempt to overtake a slower moving vehicle and find themselves on the wrong side of the carriageway as another driver turns out of the site access road resulting in a head-on collision or they may encounter a stationary vehicle in the right turn lane. The proposed access junction is not clearly visible on the approach when travelling northbound due to the vertical alignment of the B2149, which includes a crest curve to the south of the junction. Because of this, stopping sight distances on both approaches are substandard.

The RSA1 concludes that the following measures should be investigated to overcome the fundamental safety concerns of the proposed location and form of junction

- Alterations to the vertical alignment of the B2149
- Relocation of the junction
- A reduction in speed limit with supporting measures to ensure compliance

It should be noted that the provision of a reduce speed limit alone would not be sufficient in overcoming the safety concerns.

#### Southern Access

The southern access is proposed in the form of a priority junction from Swanmore Road as shown on drawing HTR-ATK-AR-RE-DR-D-0006.

The RSA1 suggests that existing parked vehicles along Swanmore Road in the junction visibility splay may obstruct intervisibility between drivers exiting the access road and drivers approaching the junction. This may increase the risk of a driver pulling out into the path of a vehicle on Swanmore Road and a collision occurring.

It is understood that the existing Bridleway 121 which runs to the east of Swanmore Road may be impacted by the proposed access works and should be shown on the plan to ensure it can be maintained in its current position.

The number of recorded accidents on Swanmore Road and Calshot Road needs to be fully investigated as per the above. It does appear to be high for a what is a residential road network. The increase in vehicular trips through this network could exacerbate an underlying trend. Further to this, the area of Leigh Park is subject to traffic management measures to assist in reducing vehicular levels in this part of the road network. The proposed access strategy may compromise the effectiveness of overall traffic management policy in the area and increase future maintenance liability for the Highway Authority.

The northern section of the internal access road becomes single lane with passing places, the narrowing is understood to be required due to impact on ancient woodland. The Highway Authority has concerns that this will be less attractive for motorists, due to the additional delay and increased length of northern access road to the car park which may make the southern access more attractive and attract a larger number of trips than proposed by the applicant.

#### Through Route

The proposed access road as shown on drawings HTR-ATK-AR-RE-DR-D-0001 and NTR-ATK-AR-Re-DR-D-0005, shows an unrestricted route from the northern access to the southern access. Whilst as noted above it is of an unattractive nature the Highway Authority raises concern over the potential use of this as a through route or a rat run once operational as it is likely during peak times that the route would be quicker for some road users than the existing highway routes. Measures need to be included to stop this from occurring and this should be of no burden on the Highway Authority to maintain and manage. It is also a concern that it would be utilised for antisocial behaviour such as by motorbikes outside the main operational times of the site.

#### Parking

Parking requirements are set and controlled by the Parking Authority and will be considered by the Planning Authority. Confirmation that required parking standards have been met is required.

From the Highway Authorities perspective, we are concerned regarding the potential for on street parking, especially within the Leigh Park area in the vicinity of the southern access, or other pedestrian/cycle connection points to the site. Confirmation of control measures for parking should be provided. Depending on the controls to be provided it may be necessary to provide funding for implementation of TRO's as required to prevent nuisance parking.

If parking charges and controls are required measures such as the use of ANPR access barriers as have been implemented across a number of Forestry Commission locations and Country Parks within the County may provide both provision for parking controls and act as a physical preventative measure to prevent a through route from being created.

#### Junction Assessment

The junction modelling cannot be fully assessed by the Highway Authority until the vehicle trip distribution for the site has been agreed and further assessment may be required.

TEMPRO has been utilised to factor the baseline surveys from 2020 to 2029 as the future year scenario, using suitable Havant Middle Super Output Areas and the

Highway Authority is satisfied that this is acceptable. 2029 is assumed by the applicant to be the year of opening and full operation of the site.

In addition to acceptable growth rates, consideration has been given to specific developments within the immediate vicinity of the site. Traffic flows from the nearby developments of Land East of Horndean 55562/005 and Dunsbury Hill Farm APP/12/00338

have been included within the future baseline flows.

The junctions which have been assessed based on the information to date and are included within the TA are:

- Dell Piece East/B4129 Roundabout;
- Northern Site Access/B4219;
- Southern Site Access/Swanmore Road;
- Swanmore Road/Middle Park Way Priority Junction;
- Woolston Road/Middle Park Way Mini Roundabout, and;
- Purbrook Way/Middle Park Way Roundabout.

There is concern that the Dell Piece East/B2149/Site Accesses junction has been modelled incorrectly as the outputs are significantly lower than the approved model associated with the Land East of Horndean application and this should be reviewed by the applicant.

Other junctions included within the Land East of Horndean development application should be assessed as part of this application. This should include the A3(M) junction with improvements scenario and the new roundabout access on the B2149.

Construction traffic will result in a significant daily increase in trips across the network and it is not clear if these will be during peak times. The applicant needs to fully assess the impact of construction traffic across the network and may need to include two assessments, one scenario for operation traffic and one for construction traffic.

#### *Strategic signing*

Trips which are non-local or outside of the 15 minute cordon, will have a higher chance of using the strategic road network. The applicant should propose a strategic signing strategy to ensure this network is used, rather than local roads. This should be presented at this stage to ensure an appropriate level of review is undertaken by the necessary consultees and secured through planning condition or Section 106 obligation should permission be granted.

#### *Wayfinding*

As the site will be a key visitor attraction for the local area and the assumption that walking and cycling for a 15 minute radius from the site will be proposed at 30% of the modal choice it is key that the development can be easily located from the existing pedestrian and cycle network. A wayfinding strategy should therefore be proposed by the applicant to support this assumption and encourage sustainable trips to the site from the local area. Construction Phase. Within this application the assessment of the impacts of the construction phase have been reviewed by the highway authority.

#### *Pipeline Route*

The pipeline route is subject to a separate application, APP/20/00991, and additional supporting information. A separate response to this application shall be provided and should be read in conjunction with this response by the Planning Authority.

#### *Trip Generation*

The applicant has included information regarding the level of construction traffic which will be present for 9 years from 2021 to 2029, as per the applicant's commentary, whilst the reservoir, and associated infrastructure included within this planning application, is being constructed.

At the peak of construction starting 2023, there will be circa 200 two-way HGV movements per day and 250 smaller vehicles per day accessing the site with regards the reservoir construction. There will then be an addition 30 HGV movements associated with the pipeline works at 270 LGV and car movements in relation to these works. Whilst measures can be implemented through a Construction Traffic Management Plan the proposed trip generation for construction vehicles is significant. It is not known whether the HGV trips will be spread throughout the day or focussed on particular time periods. Clarity is sought on how the trips will arrive throughout the day and whether any restrictions are to be applied to the site to control

#### HGV arrivals.

##### *Trip Assignment*

Routing to the site for construction of the reservoir and onsite facilities is proposed to be on the strategic road network, A3(M) and then onto the B2149 and through the proposed access to the north. At pre-application discussions there were initial ideas tabled to route construction traffic via the Dunsbury Hill Farm site. This would remove construction traffic from junction 2 of the A3(M) and away from the Land East of Horndean development area. The Highway Authority would like further clarification on why this route is no longer being explored. The current NSIP for the Aquind project is forecasting a construction programme which coincides with this application and the vehicle routing details overlap at junction 2. It would therefore be highly beneficial for the operation of the highway if alternative access arrangements can be achieved.

##### *Junction Assessments*

The applicant has assessed the impact of construction traffic along the route within the ES Chapter 13. This is at a high level for the purpose of the EA assessment and fails to identify that there are significant increases in traffic generation as a result of the construction traffic. The proposed generation from construction for a significant period cannot be deemed to be a negligible impact. Roads which are currently subject to no HGV traffic are to be exposed to significant daily demand. No junction modelling or detailed assessment on the capacity of the road network and the impacts of the prolonged construction period has been undertaken and must be considered by the applicant. This should consider the joint impact of other significant and emerging schemes in the area.

During the construction phase the vehicle routing at the A3(M) junction 2 roundabout will be under considerable more pressure with a number of development schemes overlapping including Aquind and the Land East of Horndean development site. Assessment must be carried out at this junction for the construction phase to demonstrate its effective working and to understand the impacts of the additional traffic on the approved improvement scheme to be provided by the Land East of Horndean site.

In addition the impacts of junctions along the construction corridor must be assessed to ensure any issues which may arise can be appropriately addressed.

##### *Construction Traffic Management Plan*

Whilst information relevant to a CTMP has been provided within the supporting documentation a full framework construction traffic management plan must be provided to support the application and include appropriate measures to ensure the impact from the construction traffic is minimised, which should be separate to the pipeline CTMP. This should include but not be limited to:

- Appropriate directional signage for construction traffic to the site
- The provision of long term facilities for contractor parking;
- The arrangements for deliveries associated with all construction works;

- Methods and phasing of construction works;
- Suitable wheel washing facilities which given the nature of the development should be via a suitable drive through wheel wash.
- Vehicle routing proposals and appropriate signage strategy details

The construction period is planned to last around 9 years which due to the increase in HGV's may be detrimental to the existing carriageway and ongoing maintenance. A pre-condition survey should be undertaken by the applicant prior to any commencement on site to assess the condition of the construction route. At the end of the construction period, the applicant will need to make good any defects caused by HGV traffic, in agreement with the Highway Authority.

In addition to the above, the development to the north Land East of Horndean, will more than likely be on site and implementing changes to the B2149 which will need to be given further thought by the applicant. The Highway Authority needs to ensure that any damages caused by HGV traffic associated with this development is rectified by the applicant and does not become a burden to the Land East of Horndean developer.

#### *OEMP*

The OEMP contains seven objectives relating to Traffic and Transport to manage the environmental effects and impact of the development, which are:

- Minimise impact of HGV traffic on the highway network
- Minimise impact of construction traffic during typical network peak hours
- Minimise use of construction routes of local road
- Minimise the impact of PRow closure/diversion
- Minimise staff car trips
- Maximise opportunities for all modes of travel

The first six objectives will linked to a detailed Construction Traffic Management Plan and the bottom objective is linked to the Construction and Operational Travel Plan. Whilst the principle of the above objectives is considered appropriate, the Highway Authority needs to agree and approve both the Framework Construction Traffic Management Plan the Framework Travel Plan in order for the OEMP to contain suitable measures to reduce the environmental impact of the development.

#### Framework Travel Plan

A framework travel plan has been provided for construction staff. This is being reviewed by Hampshire County Council's Travel Plan team and any comments will be forwarded to the applicant direct.

#### Mitigation

The ES Chapter 13 refers to measures which have been taken to reduce the impacts of construction. These are listed as:

- Development of an OEMP in Appendix A2.1 in ES Volume 4
- Reviewing construction sequencing to smooth out the 'peak' in construction traffic as far as possible
- Reviewing construction routes to make use of the principal road network where possible
- Reviewing the use of multiple access points to reduce the time period an impact may be experienced by the local population.

Whilst measures are welcomed such as those listed above given the scale of the project and potential impacts of construction vehicles it may be necessary to provide

additional mitigation measures, with commitments to work with other nearby construction projects to ensure works are delivered in a way which minimises the impacts of the construction phase.

#### Highway Authority Summary

Additional information is sought from the applicant on both matters relating to the construction and operational phases before the impacts of the development can be fully understood and appropriate measures can be agreed with the applicant to minimise the impacts of the construction phase and ensure appropriate access, integration and operation of the site in the operational phase.

#### Response to additional information:

This response should be read in conjunction with Hampshire County Council's previous response which contained the Highway Authority's comments in Appendix A, in the letter dated 21<sup>st</sup> December 2020. The letter outlined that the application should provide additional information to ensure the application proposals are robustly assessed and any mitigation can be secured to minimise the impact of the development and promote active travel options to access the site.

The Highway Authority and the applicant have had numerous discussions in order to work through the previous response. For continuity and ease of reference, this letter will use the headings used previously. The applications, APP/20/00991 for the pipeline and APP/20/00990 for the reservoir should be reviewed and considered together due to the interlinked nature of the applications.

### **Assessment Phases**

The application has been assessed within two phases. There is the operational phase for when the site is built and operational as a country park. There is also the construction phase which has also been assessed for its impacts in Highway terms.

#### Operational Phase

##### **Accessibility**

The Highway Authority raised concerns on how the proposed development will be accessed from the existing pedestrian and cycling provision, both from the east across the B2149, from Swanmore Road and from the south providing access from Staunton Country Park. The applicant has now submitted a more detailed accessibility strategy, through document HTR-ATK-XX-XX-RP-Z-0076 titled Access for Non-Motorised Users (NMUs) which includes improving existing connections from the public highway to gain access to the site for pedestrians and cyclists. This is shown in the aforementioned document in Figure 2 and the formal links comprise of;

- Improvements to the existing crossing on B2149/Castle Road junction to provide formal crossing and footway connection to the existing access track as shown on drawing HTR-ATK-XX-ZZ-DR-D-0001 which will provide access from the east (numbered 1 in Figure 2)
- Improvements for pedestrians and cyclists to the existing crossing point on the B2149 at the Forest Bere car park as shown on drawing HTR-ATK-XX-ZZ-DR-D-0002 which will provide access from the east (numbered 2 in Figure 2)



- Improvements to Swanmore Road southern access to the site to include additional pedestrian and cycle connections and tie into the Public Right of Way network as shown on drawing HTR-ATK-AR-RE-DR-D-0005 which will provide access from Leigh Park (numbered 6 and 7 in Figure 2). The additional footway provision is focused around connecting the existing formalised crossing points associated with the bus stops to the site.
- Improvements to the Whichers Gate double mini-roundabout to provide a suitable crossing point into the site as shown indicatively on drawing HTR-ATK-XX-ZZ-DR-D-0003. It should be noted that there is a wider improvement scheme proposed for this junction highlighted through Havant Borough Council's emerging local plan and therefore a financial contribution will be secured to ensure delivery of the crossing point shown on drawing HTR-ATK-XX-ZZ-DR-D-0003 or if appropriate for timing for the monies to be used to provide appropriate crossing facilities within the wider improvement scheme at this junction, this improvement will provide access from the east (numbered 3 in Figure 2)
- Improvements to the existing walking and cycling routes through Staunton Country Park north of Middle Park Way which will provide suitable access from the south as agreed with Countryside Services
- Improvement of PRow Bridleway 121 to provide access from the southern access to the internal crossing to be agreed through Reserved Matters

The above improvements will be secured through a Section 106 legal agreement and delivered through Section 278 works or financial contribution be provided to Hampshire County Council to implement the improvement. A financial contribution is required in order to provide improvements as highlighted above.

The Highway Authority is satisfied that the improvements to the walking and cycling access strategy provides points for local residents to reduce the reliance on private car use to access the site and ensures safe and suitable access for all users.

It should be noted that the Highway Authority previously raised that a direct link should be provided through from the Land East of Horndean development, however due to existing 3<sup>rd</sup> party land constraints this cannot currently be delivered by the applicant. Should this link be feasible in the future, the applicant should endeavour to provide the link. There are connections provided from the Land East of Horndean site to PRow 120 which provide indirect onward connections via the right of way network to the site.

### **Personal Injury Accident data**

The applicant has provided the most up to date accident data for the agreed study area, which includes Calshott Road and Swanmore Road and the B2149. The recorded accidents are detailed in document TNPS04 Personal Injury Collision Data Review.

### **Calshott Road and Swanmore Road**

A total of 12 collisions (five serious and seven slight) have been recorded on Swanmore Road / Calshot Road. Six of the 12 recorded collisions were located in an area of the cordon 200m west of the proposed southern access junction, which is not expected to accommodate any of the construction and minimal operational traffic associated with the reservoir and therefore has not been considered within the review which the Highway Authority has accepted.

The applicant has acknowledged that five of the 12 collisions included pedestrians or cyclists and has agreed that pedestrian and cycle links therefore need to be improved to gain access to the site to ensure any trend is not exacerbated. The previous section outlines the agreed improvements to Swanmore Road which will be secured through a Section 106 legal agreement.

Vehicular accidents were attributed to driver error, failing to look properly, poor manoeuvre and following too close. Based on the agreed trip generation and distribution, once the proposed development is operational, there is expected to be fewer than 10 two-way trips generated during the typical network peak hours, and less than 50 trips during a weekend peak, which is unlikely to exacerbate the identified collision factors. There was no mitigatable accident pattern identified through the accident analysis.

HGV traffic associated with the construction of the pipeline will be limited and controlled through the Construction Traffic Management Plan and Traffic Management Plan.

#### B2149

A total of seven collisions (two serious and five slight) were recorded along the B2419 and four of the collisions recorded involved overtaking vehicles. The proposed northern vehicular access includes measures which will restrict overtaking manoeuvres along this section of the B2149. Further commentary on the northern access proposal is provided below and covers further this element of the recorded accidents. The recorded accident history on the B2149 has been considered carefully by the Highway Authority when reviewing the suitability of the proposed Northern Access and the design of the junction.

#### Local road network

The Highway Authority previously raised concerns over the use of CrashMap at other locations agreed with the applicant. After discussions, it is agreed that in this instance due to the Highway Authority agreeing trip distribution, the limited increase in operational traffic as a result of this development will not give rise to significant movements at the Middle Park Way/Woolston Road junction and the Middle Park Way/Purbrook Way junction. Therefore the scope of the study area was contained to those above.

The construction traffic as highlighted above will be controlled through a Construction Traffic Management Plan and Traffic Management Plan and therefore the Highway Authority is satisfied that the impact can be minimised in this location and accidents are not likely to increase as a result of this development in this location.

#### **Trip Distribution**

The Highway Authority raised concerns over the previously proposed trip distribution, which was derived from a gravity model, to establish the likely routes vehicles will use to access the proposed development and used MSOA from Census 2011 data, the use of which was considered acceptable. However, the applicant distributed the trips associated with that MSOA on the road network using journey time cordons and straight line distances which was not considered acceptable.

The application has provided a revised distribution model for vehicular trips across the local road network, in discussion with the Highway Authority, and is presented within document TNPS02 Traffic Distribution Model Sensitivity Revision. Eight main routes to access the site were proposed;

- Route 1 – A3(M) South (northern access)

- Route 2 – A3(M) North (northern access)
- Route 3 – B2149 South towards Emsworth (northern access)
- Route 4 – B2149 South towards Havant (northern access)
- Route 5 – Swanmore Road – Dunsbury Way (southern access)
- Route 6 – B2149 North – across A3(M) junction 2 (northern access)
- Route 7 – Swanmore Road – Middle Park Way – Purbrook Way (southern access)
- Route 8 – Swanmore Road – Middle Park Way – Hulbert Road

The applicant has revised their assignment on these trips based on journey times, particularly through the peak hours, and has derived that 74% of operational trips will access the site through the northern access and 26% will utilise the proposed southern access. Further detail is presented in Table 3 - Route Assignment Assumptions for MSOA cordons which assumes assignment based on the trip origin. The Highway Authority is now satisfied that the methodology and figures presented are robust and therefore distribution of operational traffic is agreed.

### **Access Strategy**

The Highway Authority previously raised concerns that until the trip distribution is agreed, neither access proposal can be progressed or fully commented on as the final form and scale cannot be agreed. However, given the above, the access strategy as presented in the application can now be fully considered.

The access strategy proposed consists of two vehicular access points for the reservoir. The northern access on the B2149 is proposed to be the main access and the access via Swanmore Road, the southern access, is a minor secondary access for localised traffic. The Highway Authority is satisfied that the proposed access strategy is acceptable subject to an appropriate and robust signage strategy including the need for signage as appropriate on the strategic highway network being secured to reduce trips associated with the development site on localised residential roads and will utilise the strategic road network where possible.

### **Northern Access**

Drawing HTR-ATK-AR-RE-DR-D-010 shows the proposed access to the north which comprises of a ghost island priority junction onto the B2149. The Highway Authority previously commented on the Independent Road Safety Audit Stage 1 (RSA1) which was submitted by the applicant to accompany the access proposal. The RSA1 raised concerns over the access which were mirrored by the Highway Authority, which was namely the existing overtaking accident history on the B2149 and the lack of forward visibility on the main line when approaching the junction. The RSA1 concluded that the following measures should be investigated.

- Alterations to the vertical alignment of the B2149
- Relocation of the junction
- A reduction in speed limit with supporting measures to ensure compliance

The Highway Authority previously ruled out the reduction in speed limit at this time due to the nature of the existing road network in its rural feel and existing recorded speeds.

The applicant has submitted to the Highway Authority, an access optioneering exercise which is understood to have been carried out prior to this planning submission. The report contains six access options along the B2149 and considers each against certain criteria, namely engineering, environment and project drivers. Each access was given a score based on high level appraisal and the proposed northern access was considered to be the most appropriate.

The Highway Authority questioned two further options, one through the Land East of Horndean development which was discounted due to third party land constraints and unknown ecological impact which could not be overcome through the planning process. Another access to the south of the proposed access would sever the ancient woodland making it difficult for forestry management and it would result in a greater loss of the designated ancient woodland. It was therefore considered that in order to achieve the agreed access strategy, the proposed access would need to be progressed.

Junction form has also been considered by the applicant and the Highway Authority in detail. The appropriate form of the junction is based on DRMB guidance and the ability to provide an appropriate design. Design is discussed further within this section. Regarding junction from initially this is based on daily vehicle flows. Flows on the B2149 are 14,240 (7281 north bound and 6959 southbound) on average per a day and it is acceptable that peak daily movements from the proposed development are 834. Based on CD123 Revision 2 figure 2.3.1 the appropriate junction form is that of a ghost island right turn lane as presented.

Two Departure from Standards (DfS) submissions have been applied for by the applicant, which is for the visibility on the main line as raised in the RSA1. The vertical alignment of the B2149 as existing, presents a crest and sag on the approach to the proposed access locations and therefore stopping sight distances are compromised. As part of the DfS submissions, the applicant proposed mitigation in order to reduce the risks highlighted within the RSA1.

It is proposed that the B2149 will be reprofiled in order to reduce the crest and will be filled in the sag to provide a flatter gradient which improves the forward visibility on the main line. The applicant has stated that the reprofiling will not result in any further impact on tree loss. The Planning Authority should satisfy themselves that this is the case. It is acknowledged that the B2149 experiences movement due to the soil conditions and there is flexibility within the proposed reprofiling. The Highway Authority will impose that the scheme is subject to an extended maintenance period to cover the entire construction phase until 12 months after the site becomes operational to the public or 12 months post construction traffic movements stopping whichever is later. This will include, but not be limited to, monitoring any movement of the B2149 which will need to be rectified by the applicant should movement occur within the maintenance period.

In order to reduce overtaking opportunities, the applicant has proposed traffic islands to be provided north and south of the access junction. Additionally, a solid white line will be painted on the B2149 which restricts vehicles from overtaking manoeuvrers.

Visibility from the access to the near side kerb, as shown on drawing HTR-ATK-AR-RE-DR-D-0010, is based on recorded speeds and takes the gradient of the road into account as per Hampshire County Council's TG3 document. The plan shows that visibility can be achieved within the public highway and land controlled by the applicant. The applicant has also submitted long sections of the visibility splays which shows that the crest and sag of the B2149, in this instance, does not impact the splays. Land required for the visibility splays

that sits outside the current highway boundary will need to be dedicated as Highway as part of the s278 process.

Having regard to the above the Highway Authority is satisfied that the proposed northern access can be delivered subject to further detailed design which will be subject to Hampshire County Council's Section 278 design check process. The detailed design process will ensure that the vertical reprofiling of the B2149 can be achieved as set out by the applicant, without the need for tree loss. Should this not be achieved, either the reprofiling cannot be implemented as stated or if it results in tree loss, the applicant will not be able to proceed with implementing the junction and will be required to revisit planning approval for access.

The access must be constructed prior to any commencement on site and may be subject to traffic management measures through the construction period to better manage access for HGV movements. Conditions and obligations will be required to carefully ensure that only works that can be appropriately accessed in advance of the northern access being constructed to the satisfaction of the Highway Authority, including the reprofiling is undertaken.

#### Southern Access

The southern access is proposed in the form of a priority junction from Swanmore Road as shown on drawing HTR-ATK-AR-RE-DR-D-0006. The Highway Authority stated that the following concerns needed to be overcome in order for the access to be acceptable.

- On-street parking near the junction may restrict visibility splays
- Bridleway 121 would be impacted by the proposed junction
- Underlying accident trend on Swanmore Road

The applicant has agreed to provide a TRO payment to restrict parking within the visibility splays of the junction and will be secured through a Section 106 legal agreement.

Bridleway 121 will need to be altered and this will be secured through the planning process as advised by the Rights of Way team. Drawing HTR-ATK-AR-RE-DR-D-0005 shows that the extension of the Bridleway will capture cyclists using the Swanmore Road access by introducing dropped kerbs to join a shared footway/cycleway into the site on the northern side of the junction. A footway will be provided between the proposed site and the bus stop to the north of the access. This ties the access point to the west into the existing footway provision in Swanmore Road. To the south of the access an additional footway connection will be provided from the bus stop to the south of the existing vehicle maintenance access point. This access point will become the primary pedestrian and cycle access point to the site from Swanmore Road and tie internally directly into the shared use provision within the site.

Bridleway 121 along the western boundary of the site will cross the internal access road further within the site at an appropriate point to be agreed through reserved matters.

Having regard to the above the Highway Authority is satisfied that the southern access junction can be delivered. It will be subject to further detailed design through Hampshire County Council's Section 278 design check process. The access will need to be in prior to any commencement of any phase on site that requires access via the Swanmore Road. As per the northern access, there may need to be additional traffic management measures through the CTMP which will restrict access to the public.

### Through Route

Drawings HTR-ATK-AR-RE-DR-D-0001 and HTR-ATK-AR-RE-DR-D-0005, shows the access route from the northern access to the southern access. The Highway Authority raised concern over the potential use of this as a through route or a rat run once operational as it is likely during peak times that the route would be quicker for some road users than the existing highway routes. The applicant has agreed to implement a barrier system and will be secured through the condition/obligation. It is also noted that the applicant has stated that the internal access roads and car park strategy, which are matters to be dealt with at a later stage and may include altering the widths of the access road from the southern access junction, will discourage through traffic by design. The Highway Authority requests that they are consulted on these proposals when they come forward.

### **Parking**

Concerns were raised previously regarding the potential for on street parking, especially within the Leigh Park area in the vicinity of the southern access, or other pedestrian/cycle connection points to the site. The applicant has confirmed that they are willing to provide a financial contribution of £24,000 to cover costs of implementing parking restrictions through a Traffic Regulation Order, as required to prevent nuisance parking. This includes parking measures on Swanmore Road which is highlighted above in the Southern Access section.

### **Junction Assessment**

The junction modelling previously could not be fully assessed by the Highway Authority until the vehicle trip distribution for the site had been agreed, however given agreement on these matters the Highway Authority can now review in full.

As highlighted in the last response, TEMPRO has been utilised to factor the baseline surveys from 2020 to 2029 as the future year scenario, using suitable Havant Middle Super Output Areas and the Highway Authority is satisfied that this is acceptable.

2029 is assumed by the applicant to be the year of opening and full operation of the site. In addition to acceptable growth rates, consideration has been given to specific developments within the immediate vicinity of the site. Traffic flows from the nearby developments of Land East of Horndean 55562/005 and Dunsbury Hill Farm APP/12/00338 have been included within the future baseline flows.

The junctions which have been assessed based on the information to date and are included within the TA are:

- Dell Piece East/B4129 Roundabout;
- Northern Site Access/B4219;
- Southern Site Access/Swanmore Road;
- Swanmore Road/Middle Park Way Priority Junction;
- Woolston Road/Middle Park Way Mini Roundabout,
- Purbrook Way/Middle Park Way Roundabout

Due to the now agreed trip distribution, the Southern Site access/Swanmore Road, Dell Piece East/B4129 roundabout, Swanmore Road/Middle Park Way Priority junction and Woolston Road/Middle Park Way mini roundabout do not a significant increase in trips

through the junctions which would result in a significant change in the modelling presented in the original TA. This has therefore not been revisited.

It is shown through the modelling that there will be sufficient spare capacity in the 2029 with development future year scenario through the following junctions:

- Dell Piece East/B2149 (with Land East of Horndean improvements)
- Swanmore Road/Middle Park Way junction
- the Middle Park/Woolston Road mini roundabout.

The Middle Park Way/Purbrook Way roundabout modelling shows that there is an arm which operates over theoretical capacity in the PM peak and the Saturday peak. This is evident in the 2029 base scenario with an RFC value of 1.04 and delay of 6 seconds on the Purbrook Way East arm. The 2029 with development scenario shows a very minor increase of 0.01 in RFC and 1 additional second delay as a result of the trips associated with this site. The Highway Authority is therefore satisfied that the operational traffic associated with this site will not result in a significant impact on the local highway network.

The trip distribution has resulted in minor changes to the modelling for the northern access and as a result the junction will see a delay to right turning vehicles from the site access of 26 seconds in the PM peak. There will be minimal queuing traffic within the right turn lane on the B2149 and the access junction. The Highway Authority accepts that the junction will operate well within capacity.

### **Strategic Signing and Wayfinding**

The applicant has agreed to secure a Wayfinding Infrastructure Strategy which will include the design and location of signage across the site and include key areas surrounding Havant Thicket such as, but not limited to, Dunsbury Park, Horndean, Leigh Park, Rowlands Castle and Staunton County Park. The strategy will be for both vehicular and active travel modes.

Vehicular signage will direct traffic to the northern access junction from strategic routes and the applicant should include a plan which shows where these will be located for inclusion within the s106 agreement. The active travel mode signage will direct users of the site to the access points which have been discussed above to ensure safe and suitable access is promoted.

### **Construction Phase**

#### **Trip Generation**

Clarity was sought on how the trips will arrive throughout the day and whether any restrictions are to be applied to the site to control HGV arrivals. The applicant has highlighted that at the peak of construction starting 2023, there will be circa 200 two-way HGV movements per day and 250 smaller vehicles per day accessing the site with regards the reservoir construction. There will then be an additional 30 HGV movements associated with the pipeline works at 270 LGV and car movements in relation to these works.

The applicant has now provided a Framework Construction Traffic Management Plan which contains measures, but is not limited to, to restrict the movement of HGV and staff trips for both the construction of the reservoir and the pipeline through the traditional peak times of 08:00-09:00 and 17:00-18:00 across the local road network. Where school drop off and pick up movements, both vehicular and active travel modes, be impacted HGV trips will be limited to arriving/departing outside of this window.

In addition to this, the applicant has agreed that HGV movements during weekdays will be restricted to 32 (16 arrivals and 16 departures) per hour with no more than 200 in a day (100 arrivals and 100 departures). On Saturdays HGV movements will be restricted to 32 per hour (16 arrivals and 16 departures) between 9am and 1pm.

Staff and contractors working on the construction of the reservoir will be restricted to 125 and will arrive and depart the site outside of the peak hours.

### **Construction Routing**

It has now been agreed that the construction routing for HGV and staff trips to the reservoir site is to be from the A3(M) - Junction 2 – B2149 – Northern Site Access and vice versa for HGV and staff trips leaving the site. Due to the length of construction period and number of vehicles associated with the construction phase, the applicant has committed, through the CTMP, that any defects on the construction routes caused by HGV traffic associated from the development site will be made good.

As stated within the Framework CTMP, the applicant will agree with the Highway Authority a programme for periodical condition surveys, and the triggers for any remedial or interim remedial works that are needed.

The applicant has acknowledged committed schemes in the area, namely Aquind Interconnector and Land East of Horndean, and will engage with both developers to ensure the impact of all three developments is minimised where possible, and specifically at the A3(M) junction 2.

### **Junction Assessment**

Prior to the agreement of all construction related trips arriving and departing the site outside the peak hours the Highway Authority raised concerns over the operation of the local road network due to the localised routing of traffic associated with construction. The study area was agreed to be the proposed northern access to the A3(M) J2, which should include the new and improved junctions being implemented as part of the Land East of Horndean development. It should be noted that this only relates to staff worker trips and does not relate to HGV movements which were always considered to be undertaken outside the peak hours.

The applicant has provided a Technical Note which presents the following junctions have been modelled using industry standard software ARCADY and LINSIG.

- A3 (M) Junction 2 with Land East of Horndean Signalisation Improvement Scheme.
- Dell Piece East/Havant Road/Land East of Horndean Access Roundabout
- B2149/East and West Accesses to the Land East of Horndean Development Roundabout

To undertake modelling in the future year scenario assessments, TEMPRO growth factors have been used. In addition to this, the applicant has included Land East of Horndean construction staff traffic of 60 trips in the AM and PM peak respectively. and the following scenarios have been modelled;

- 2023 Base
- 2023 Base + Construction Staff Trips
- 2026 Base



- 2026 Base + Construction Staff Trips

The future years of 2023 and 2026 have been used as these represent the start and end of the peak construction period of the reservoir site.

#### A3 (M) Junction 2 with Land East of Horndean Signalisation Improvement Scheme.

This junction has been assessed using LINGSIG and in the 2026 baseline + development scenario in the PM peak shows that the junction result in a practical reserve capacity of - 0.9%. The arm which is most impacted is the south right ahead arm on the circulatory and has a Degree of Saturation of 90.9% which indicates that queuing traffic may not be cleared after each green signal. The results show that the junction does still operate within theoretical capacity and whilst the construction staff traffic does worsen the operation of the junction, it will not result in a significant impact and delay on the local road network.

#### Dell Piece East/Havant Road/Land East of Horndean Access Roundabout

This junction has been assessed using ARCADY and in the 2026 baseline + development scenario and shows that the junction will operate within theoretical capacity with the highest RFC of 0.62, found on the Dell Piece East arm in the AM peak hour and a delay of 5 seconds.

#### B2149/East and West Accesses to the Land East of Horndean Development Roundabout

This junction has been assessed using ARCADY and in the 2026 baseline + development scenario and shows that the junction will operate within theoretical capacity with the highest RFC of 0.78, found on the Havant Road North arm in the AM peak hour and a delay of 6 seconds.

Notwithstanding the above assessment results, it is acknowledged that the modelling represents the worse case scenario of all staff arriving in separate vehicles to the site within the identified peak period. The CTMP and the Travel Plan will reduce travel to the site within the peak hour periods and therefore the Highway Authority is satisfied that the construction traffic will not result in a severe impact on the local highway network, subject to the aforementioned mitigation in the form of CTMP and Travel Plan.

### **CTMP**

A Framework Construction Traffic Management Plan has been submitted by the applicant which covers both the reservoir construction and pipeline elements of the development. The Framework CTMP outlines measures, some detailed above, which aim to reduce the impact that associated construction vehicles will have on the local highway network. Should the Local Planning Authority be minded to approve this application, a Construction Traffic Management Plan should be secured through condition which provides further detailed plans/information on the measures within the Framework CTMP.

The applicant has set out that the Construction Traffic Management Plan will include the following;

- Vehicle routing plans;
- Proposed programme and duration;
- Number of construction personnel including travel arrangements and mitigation where necessary;

- Alterations to the highway, including temporary and / or permanent, to enable construction;
- Details of the number of construction and delivery vehicles using the public highway (no abnormal loads are anticipated at this stage);
- Traffic management details;
- Compounds and laydown area details;
- Highway condition surveys;
- Methods for managing the site to prevent mud onto the highway; and
- Details of onsite contractor parking.

The construction phasing of the reservoir will be dynamic and should be consider a live document throughout the construction period. It will be important for the applicant to continue dialogue with the Highway Authority and Local Planning Authority to ensure measures are agreed prior to significant periods of HGV and staff traffic. This should also work alongside and compliment any traffic management arrangements for other committed developments and their CTMP.

### **Travel Plan**

A Framework Work Place Travel Plan has been provided by the applicant to reduce the number of staff vehicle movements and promote sustainable travel modes if they are local or car/minibus share if from afar. The Framework Travel Plan does not provide enough detail on the measures that will be utilised to reduce the reliance on private car however the Highway Authority is satisfied that through continued dialogue, once further details on the contractors and staff to be used to operate at this site are known, a sufficient Full Travel Plan can be provided prior to any commencement on site.

The Full Travel Plan should contain a commitment to provide HCC with information of the contractor and where their staff will be originating from. If large staff numbers from a contractor are being housed at a hotel(s) the applicant should propose a shuttle bus to reduce all staff using a private car. If the contractors are local additional measures can be provided to make sustainable travel more attractive to staff.

An action plan should be included in the FTP which details each measure to be conducted as part of the Travel Plan (including resources to be allocated to the TPC role). A cost estimate for these items must be included which is used to approximate a Travel Plan Bond.

The Framework Travel Plan will be secured through a Section 106 legal agreement and the applicant will be required to pay Hampshire County Council's Travel Plan approval and monitoring fees. In addition to this, the applicant is required to cost the measures contained within the Framework Travel and those highlighted above to calculate a Travel Plan Bond which should also be secured through the Section 106 legal agreement.

### **Recommendation**

The Highway Authority raise no objection to the proposed development subject to the following conditions and obligations.

#### *Conditions*

- Provision of a full CTMP prior to commencement

- To implement amendments to the vertical profile of the B2149 to the satisfaction of the Highway Authority and in accordance with drawing HTR-ATK-AR-RE-DR-D-0010 to achieve the implementation of the site access prior to commencement. In the interest of Highway Safety.
- Provision of details of the sustainable travel connections internal to the site and how these connect to the proposed offsite provision. For the position and alignment of these to be agreed by the Highway Authority.
- Phasing plan to be submitted prior to commencement.
- Barriers to prevent through traffic within the site to be provided prior to connection of the northern access and southern access and the site being open to the public.
- Details to be provided of the internal crossing point on the southern access road to tie into Bridleway 121 prior to the site being open to the public.

#### *Obligations*

- Provision of a full work place travel plan in accordance with the framework travel plan prior to commencement
- Payment of £1500 Travel Plan Approval Fee prior to commencement
- Payment of £15,000 Travel Plan Monitoring Fee prior to commencement
- Provision of a travel plan bond prior to commencement calculated at 110% the cost of the measures identified within the approved full travel plan.
- To enter into a s278 agreement for the southern access and for the access to be constructed to the satisfaction of the Highway Authority prior to commencement of any phase which requires use of this access as permitted through the approved CTMP
- To enter into a S278 agreement for the northern access and for the access to be constructed to the satisfaction of the Highway Authority prior to commencement on site.
- To pay the contribution for the Whichers Gate sustainable user improvements
- To pay the contribution or enter into a S278 agreement for the B2149 sustainable access improvements
- To pay the contribution for sustainable access improvements for between Middle Park Way and the southern bounds of the proposed development.
- Prior to operation of the site for a detailed vehicle signage strategy to be submitted and approved by the relevant Highway Authority and this to be implemented prior to occupation.
- Details of the Wayfinding strategy and infrastructure to be provided to the Highway Authority for approval and implemented prior to the site being operational
- To pay the southern access TRO contribution of £6,000 prior to completion of the southern access

- To pay the offsite TRO contribution of £24,000 prior to the site becoming operational to the public.

## **1.8 Hampshire Highways – Public Rights of Way**

### **Original response**

The Countryside Service are responding as Highway Authority in respect of Public Rights of Way and managers of Staunton Country Park and Countryside Site, Staunton Farm.

The Countryside Service have been actively involved in discussions with Portsmouth Water regarding the development of the Reservoir and Visitor Centre proposals and held detailed discussions on Public Rights of Way Diversion, Environmental Mitigation and the development of the Country Park and Visitor Centre. The Countryside Service is minded to support this application subject to additional information being provided Mitigation and Improvements to Public Bridleways, Footpaths and Green Infrastructure Connections

### **On-site paths and public Bridleways**

Hampshire County Council's Countryside Service support the creation of additional footpaths and cycleways within the Country Park and the provision of surfaced alternative Public Bridleway around the south of the reservoir and north of the County Council's land.

The County Council notes that the Environmental Statement Traffic and Transport Chapter 13 does not include Bridleway 121 on Swanmore Road or consider the impact of the vehicular access on cyclists and horse riders.

The position of Bridleway 121 is not shown on the submitted access and tree protection plans, and the route actually used on the ground differs from the Definitive line (that is, the legally recorded route) of the path. It should also be noted that the use of Bridleway 121 by horse riders is currently obstructed.

It is therefore advised that the applicant needs to consider this issue and amend Vehicle Access Route South plan drawings in this location to show the existing Bridleway 121 and how it integrates with the southern vehicular access cycle and equestrian access from Swanmore road. The Countryside Service require the applicant to revise the plan drawings to show the integration of Bridleway 121 and the proposed vehicular, pedestrian and cycle and equestrian access from Swanmore road to the site.

The Countryside Service therefore recommend that the Vehicle Access Route South plans HTR-ATK-AR-RE-DR-D-0005 and 0006 are revised to include where the new access integrates with Bridleway 121 and access for cyclists and pedestrians from Swanmore Road.

### **S106 Legal Agreement requirements:**

In order to provide access to the Country Park and visitor facilities and accommodate the increase in pedestrian, cyclist and equestrian use, the costs of drainage and surfacing improvements to Bridleway 121 and a contribution for the increased cost of maintenance must be secured.

Section 257 – Diversion, extinguishment, and creation of alternative Rights of Way  
The reservoir creation proposal would require the permanent diversion to the south of Rowlands Castle Bridleway 29 and Havant Bridleway 120. During the construction phase the proposed new route would be temporarily stopped up and an alternative temporary route provided through Havant Thicket. An application must therefore be made to Havant Borough Council and East Hampshire District Council as the Planning Authorities for the diversion, or extinguishment and creation, of the alternative Rights of Way under section 257 (S257) of the Town & Country Planning Act.

The granting of a planning permission does not authorise developers to obstruct a public right of way. It cannot be assumed that because planning permission has been granted that an order under S257 for diversion or extinguishment will invariably be made or confirmed. The Countryside Service are unable to provide a temporary closure on a route that is to be diverted until the S257 Order has been confirmed.

The Countryside Service therefore advise that the submission of an application or applications to the Local Planning Authorities for the alternative Bridleway is considered alongside the current planning applications and submitted at the earliest opportunity.

As Highway Authority legally responsible for the designated Rights of Way network and its maintenance, the Countryside Service advise that the detail of the construction and surfacing and proposals for long term surface repairs of the Bridleway diversion route should be agreed prior to determination of the application.

#### *S106 Legal Agreement requirements:*

Following submission of applications for S257 diversion on to the alternative Bridleway, construction details, obligations and the contribution to the Countryside Service towards the cost of maintaining Bridleway 29 and Bridleway 120 will need to be secured via the S106 legal agreement. It is important to note that the County Council is not usually able to transfer maintenance duties to the developer.

#### *Off-site paths and public Bridleways and Green Infrastructure Connections*

The proposed vehicular access to the visitor centre from the south and west is from Swanmore Road across Bridleway 121 via a current pedestrian access to the Country Park. The Reservoir Outline Masterplan includes a pedestrian access to the south of this access but does not currently take account of the Bridleway which crosses from Swanmore Road into the Country Park and the need to accommodate equestrian as well as cycle and pedestrian access which should be provided.

On-site development proposals in the Outline Master Plan include a network of paths for walking, cycling and horse-riding. The enhancement of paths which link to the site and improve connectivity to the area is required by the emerging Havant Local Plan Policy KS8 (e), (j) and (k), but not included in the development proposals.

It is important that the applicant demonstrates an understanding of how the existing Bridleway network integrates with the development proposals as there are constraints but also opportunities provided by these routes maintained by Hampshire Countryside Service already available to horse riders, cyclists and pedestrians connecting Staunton Country Park and Havant Thicket to Waterlooville, Warren Park, Leigh Park and Rowlands

Castle which should be enhanced to improve access to the new visitor facilities.

*S106 Legal Agreement requirements:*

In order to provide access to the temporary northern bridleway (which would have a lifespan of up to 8 years), encourage sustainable travel to the visitor centre and to enhance the connection of the permanent Bridleway diversion for pedestrian, cyclists and horse riders and existing communities from Dunsbury Farm via Park Lane Bridleway 123 and from Leigh Park at Bittern Close a contribution for the maintenance of Bridleway 120 and 123 will be required.

Construction Environmental Management Plan

Where paths and tracks are crossed by construction traffic (e.g. Bridleway 121), an appropriate traffic management system should be secured and implemented through a planning condition to ensure the safety and convenience of users of the rights of way and access to Bere Wood, Havant Thicket and Hampshire County Council's Staunton Country Park to the south.

Traffic and Transport Assessment

The Countryside Service advise that the Traffic and Transport Assessment should be revised to include all the Rights of Way within the vicinity of the development and the opportunities provided to enhance the existing equestrian, cycle and pedestrian network to mitigate impact of the development and improve access to this green infrastructure resource.

It is also recommended that the Traffic and Transport Assessment should provide further assessment of impacts to horse riders on the east of the development including assessment of road safety for the revised eastern access and connections around Wichersgate and links to the Shipwrights Way Rowlands Castle Bridleway 24.

*S106 Legal Agreement requirements:*

Highway improvements should be secured to promote safe sustainable transport options for non-motorised access to the Country Park and new visitor facilities.

Countryside Service Summary

Hampshire County Council's Countryside Service are minded to support this planning application subject to the following additional information and revised plans being submitted for clarification, alongside the recommended mitigation and contributions to be secured by planning condition and / or S106 legal agreement:

- Implementation / funding of landscaping and habitat creation on Hampshire County Council land.
- Costed Landscape and Ecological Mitigation Management and Monitoring Plans – for both construction and long-term management phases.
- A Construction Environmental Management Plan.
- Amendment of the Traffic and Transport Assessment to include omitted Bridleways and connections to the site.
- Review and revision of equestrian and vehicle access at Swanmore Lane
- Surfacing of on-site Bridleway 121.
- Contribution for surfacing off-site of Bridleway 120, Bridleway 123 and Footpath from Leigh Park in Staunton Country Park.
- Contribution towards Footpath 505 in south, Staunton Country Park paths and Bridleway 24 Shipwrights Way.

- S257 application(s) submission. Confirmation and Certification; and Commuted sum contribution for maintenance.

## **1.9 Historic England**

### **No Objection – subject to condition**

#### **Summary**

The proposed reservoir would cover part of a later 19th century Avenue that is part of Leigh Park (Staunton Country Park), a grade II\* Registered Park. This would cause a high, but less than substantial, level of harm to the significance of the parkland. We accept that there is a justification for this harm, as it would not be possible to build a reservoir on this site without truncating the Avenue and suitable alternative sites for the reservoir are limited. We also acknowledge that the level of wider public benefit is likely to be assessed as high. We therefore do not object to this application and are content for it to be determined in its current form.

#### **Historic England Advice**

The proposed reservoir would lie within a shallow valley located between the residential settlements of Leigh Park and Rowlands Castle. This would entail the truncation of a later 19th century Avenue that forms part of Leigh Park, which is a designated grade II\* landscape on the Register of Parks and Gardens. A substantial earth dam would be created to contain the water.

#### **The significance of Leigh Park and the Sir George Staunton conservation area**

Leigh Park is primarily of significance as a good example of an informal 19th century landscaped garden. Historically the gardens were particularly unusual in the way that they reflected the Chinese and botanical interests of their principal creator, Sir George Staunton. The gardens incorporated plants newly introduced from China, themed garden areas, follies and garden buildings. Staunton also created a large ornamental lake, Leigh Water. Staunton's pleasure gardens were focused around Leigh Water, and are surrounded by parkland that predates this and was later altered by subsequent 19th century owners. This parkland provides an attractive context for the gardens, greatly enhancing their attractiveness and grandeur.

The Avenue was created by William Stone, who bought the park in 1861 following Staunton's death. He moved the residential focus of the estate north to the highest part of the site, overlooking Leigh Water, where he built a Gothic mansion. All that remains of this is an arcaded terrace (listed grade II) which utilised the topography of the park to have a key view down to Leigh Water and over the surrounding parkland and land beyond.

Stone carved the Avenue out of existing woodland as a green ride with a new lake half way along its distance. Called Upper Lake, it had a waterfall as well as Boat and Bathing Houses. The Avenue ran from the northwest corner of the mansion to the county boundary to the northwest and was designed to be a grand feature. Views along the Avenue were channelled along its length, with no views to the surrounding parkland and limited views to the mansion, creating a private and secluded ride and lake. This contrasted the open parkland views from the mansion, overlooking Leigh Water.

The Avenue north of Upper Lake is now lost. Upper Lake itself is largely over grown and has lost its Boat and Bathing House, with its waterfall largely inappreciable. The significance of the remaining half of the Avenue is therefore compromised by its truncation. However, it still makes an important contribution to the significance of the park as the most ambitious element of the later 19th century works to the landscape to survive.

As well as being a Registered Park and Garden the site is also a conservation area. The boundary of this is almost identical to the registered park with the exception of the northwest corner, where more of the country park is included. From historic maps it is understood this was once woodland with walks crossing it. Most of this tree planting has since been removed, although walking routes remain. This land was probably included in the conservation area boundary as it forms the backdrop to Leigh Water in key views from the terrace. This pocket of land therefore positively contributes to the understanding and appreciation of the landscape that forms the significance of the conservation area.

The impact of the proposals on the significance of this highly designated site

#### The Avenue

We identify harm in proposals to curtail the Avenue. As discussed above, only half of Stone's Avenue remains discernible. The proposals would see roughly half of what remains removed, including the Upper Lake, leaving only a quarter of the historic avenue. The view down the Avenue from the southeast would be truncated by the construction of the reservoirs tall embankment.

A staircase is proposed to climb the embankment of the reservoir, continuing the line of the lost section of the Avenue. It is intended that at the top of this staircase a viewing platform will be created to afford some understanding of the Avenue feature, providing medium length views along the ride, as well as the surrounding estate and reservoir.

Harm is therefore caused by the total loss of Upper Lake and part of the remaining Avenue, as well as through the change to the view when on the Avenue near the reservoir, diminishing the ability to appreciate and understand the extensive and enclosed nature of the historic ride. We consider this harm to be less than substantial, as a remaining section of Avenue will be retained and appreciable, continuing to contribute to the significance of the registered park.

We note the Avenue staircase is being introduced to mitigate this harm, with the intention being to integrate the historic landscape with the reservoir, supported by increased interpretation.

#### The Terrace

While the proposals largely retain key views from the terrace this vista will be slightly altered by seeing a small portion of the reservoir. This would compromise to an extent the experience of looking out over unbroken countryside that the terrace was designed to take advantage of. On this basis, in our view, proposals will cause a low level of harm to the significance of the grade II listed terrace, the registered park and conservation area.

#### Heritage benefits

We note the commitment in HE4 of the Outline Environment Management Plan for interpretation of the site to 'compensate' for the physical loss of the Avenue. While interpretation is welcome we do not think this can compensate for the removal of heritage assets or reduce the level of harm entailed by the proposals.

#### Legislative and planning policy considerations

##### *Local Policy*

The proposed reservoir site straddles Havant Borough and East Hampshire District Council Areas.

We note site location 2 of policy CS18 of the adopted Havant Borough Local Plan



2011 and policy S31 of the draft East Hampshire District Local Plan 2017-2036, which states that planning permission will be granted for a water storage reservoir at Havant Thicket providing it meets a range of tests. This includes stipulating that the natural and rural character of the area should be conserved and that compensation should be provided for the loss of and effects on the registered park and conservation area. Policy also advises that consideration should be given to integrating the reservoir and the new landscape with the historic landscape of the registered park and conservation area.

#### *National Policy*

The proposals need to be considered against the policies of the National Planning Policy Framework which apply to designated heritage assets, including Conservation Areas and Registered Parks and Gardens. In particular, your Council should be clear that proposals meet the tests set out in paragraphs 194 and 196 of the Framework. Paragraph 194 of the NPPF advises any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 196 advises where a development proposal 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 including, where appropriate, securing its optimum viable use.

#### Historic England's position regarding this application

In our view proposals meet the tests set out in Local plan policy. The impact of the reservoir on the registered park and conservation area has been limited to the loss of part of the Avenue and a small change to long views over Leigh Water from the listed terrace, impact which Local plan policy implicitly acknowledges is likely if the reservoir is to be constructed.

We also accept that there is a strong justification for the harm entailed that could meet the requirements of paragraph 194 of the NPPF. We accept that there is an unmet need to provide resilient water supplies for the areas covered by Portsmouth Water and Southern Water over the next 25 years, enabling Southern Water to meet its legal obligations to reduce water abstraction from the River Itchen. We acknowledge that there are few other locations that this need can be met other than at Havant Thicket.

It is for your Council to weigh the benefits of providing the reservoir against the harm to the significance of the registered park as is required by paragraph 196 of the NPPF. We recognise that providing a reservoir to secure reliable drinking water for years to come is a public benefit and potentially a very significant one that may outweigh the harm to the park.

Should your Council grant planning permission we suggest that this is conditional on the following issues being addressed:

- The full extent of the Avenue is fully recorded before it is further truncated. This should include a photographic record and a detailed plan showing all features of historical interest.
- Interpretation is provided to explain the purpose and original extent of the Avenue
- A landscaping scheme is devised to integrate the reservoir with the Avenue. We suggest that the proposed Avenue staircase is designed to be as green as possible, allowing it to blend into the landscape
- Works should be undertaken in such a way that they do not impinge on the successful operation of Staunton Farm which is focussed on the historic nucleus of the former Leigh Park estate.

The Sir George Staunton Conservation Area Management Plan 2008 sets out a series of opportunities for enhancement. We suggest your Council discuss these with the applicant and explore if they can be incorporated into proposals and secured by condition or obligation. The improved amenity and interpretation of the conservation area and therefore registered park, would contribute to the success of the visitor and recreation attraction which is a proposed outcome of proposals.

### Recommendations

Historic England has no objection to the application on heritage grounds. While the proposals involve a level of harm to a Registered Park and Garden and conservation area we accept that this is justified as is required by paragraph 194 of the NPPF. It is for your Council to weigh the public benefit of proposals against the harm we have identified as required by paragraph 196 of the Framework. Your authority should take these representations into account in determining the application.

### **1.10 Landscape**

- We have concerns with the amount of the construction occurring within the root protection area (RPA) of existing trees to facilitate the proposals. For example sheet 4 of 40 Tree protection plan drawing no. 1104 illustrates a significant amount of highway construction with the RPA. Furthermore it appears that a road sits on a bund which would mean the build-up of earth at within the RPA that could lead to compaction and consequently suffocation of shallower roots. A large number of trees have been removed to facilitate the reservoir and we require greater assurances to ensure that no further loss of trees occur to the detriment of the landscape character of the area. As such we require a more robust mitigation strategy which clearly demonstrates how the development conforms to BS 5837:2012 tree in relation to design, demolition and construction.
- The proposed shared footpath which runs along the eastern edge of the reservoir up towards the new car park ends abruptly with no further connection into the development. We require further details on how all cycle routes will connect to the wider network and how that transition occurs.
- It is noted that the play area sits within close proximity to the bin store the car park with the only hard surfaced connection to the car park to the west, which does not afford for the most safest or pleasant locations. Given the amount of open space which is available a more suitable location should be explored. I would recommend swapping the proposed woodland with the play area are moving the picnic area where the proposed wildflower meadow is. This takes the play area away from the car park and bins and affords a more pleasant location to picnic.
- There should be DDA compliant footpath with sufficient connectivity to allow wheelchair users to navigate around the site. Widths should be a minimum width of 2m to facilitate two wheelchair users to pass each other comfortably.
- The location of the cycle storage location does not afford the most natural surveillance which could lead to the increase of bike theft and the reduction in cycle trips. All effort should be made to encourage sustainable transportation and as such a more appropriate location should be explored.
- There does not seem to be a clear permeant cycle route around the reservoir, the masterplan suggests a temporary bridleway (which is to be reinstated to permissive path), we require a permeant hard surfaced designated cycle route which allows users to cycle around the reservoir, which connects to the wider cycle network.
- There is a lack of seating with the proposed viewing area, it is reasonable to presume that viewing points should be deemed a destination location and as such should be provide with adequate seating provisions.

### **1.11 Langstone Harbour Board**

No Objection, with the following comments:

1. The scheme includes the creation of a retained wetland habitat at its northern shore which we strongly support. The proximity of the reservoir to Langstone Harbour means that this wetland is very likely to be utilised by our wildfowl, waders, and seabirds. If birds are disturbed by recreational activities in the harbour this wetland will provide an alternative site for them to roost, rest and feed. Additionally, islands in the wetland area may prove attractive breeding sites for some of our rarest seabirds. Water sports are to be forbidden at the reservoir which means the wetland could provide temporary refuge for birds disturbed by kayaks / jet skis / paddleboards in the harbour.
2. The reservoir will result in reduced Nitrates entering Langstone Harbour, with Portsmouth Water modelling indicating that this reduction could be as much as 7.1kg per day while the reservoir is being filled, with considerable reductions in Nitrates entering the harbour even once the reservoir is full as run off water high in Nitrate will be stored in the reservoir where it will naturally degrade. Much has been heard about Nitrates recently and any reduction of its levels in Langstone Harbour is positive for many reasons.
3. The reservoir site will include a visitor centre, cafe, walking trails, access to wildlife and outdoor recreation which is likely, to some degree at least, to reduce recreational pressure upon Langstone Harbour's wildlife. Many dog walkers and other outdoor recreationists (particularly those who live closer to the reservoir than the harbour) are likely to choose it as an alternative destination.
4. The pipeline connecting the reservoir to the pumping station will have an emergency drawdown discharge structure which will release into Hermitage Stream. The drawdown structure along with the abstraction of water during the winter months when the reservoir is initially filled have, according to the projects EIS, the potential for ecological deterioration of Hermitage stream. The Hermitage stream is a very heavily modified (canalised for much of its length) water body, with numerous impassable structures for migratory fish such as salmonids and eels. Naturalising suitable sections of the stream, as well as creating fish passes would help to offset any negative impacts and should be included in the proposal.
5. The Langstone Harbour Board recognises that there is a major negative ecological impact associated with the reservoir, in that 12.45 hectares of ancient woodland (a highly protected and irreplaceable habitat) will be lost. The applicant should do everything possible to minimise any loss of ancient woodland.

### **1.12 Natural England**

The proposed development will lead to a loss of 12.45 hectares of ancient woodland including 3 blocks of designated ancient semi-natural woodland (The Avenue, Middle Clearing and Round Wood) and part of a plantation on ancient woodland site (Corsican Pine Plantation). It is noted that 17 veteran trees will be lost from The Avenue. This is a relic of an ancient pasture woodland complex and has good surviving elements of that complex. The management history of Middle Clearing and Round Wood is one of significant intervention, of clearances and replanting, plus grazing and fragmentation in an impermeable arable landscape. The survey evidence is in accordance with disturbed woodlands of ancient origin.

Ancient woodland takes hundreds of years to establish and is defined, along with ancient and veteran trees, as an irreplaceable habitat. It is important for its wildlife (which include rare and threatened species), soils, recreational value and cultural, historical and landscape value. It is any area that has been wooded continuously since at least 1600 AD. 'Wooded continuously' does not mean there's been a continuous tree cover across the whole site. Not

all trees in the woodland have to be old. Open space, both temporary and permanent, is an important component of ancient woodlands. A woodland in poor condition can be improved with good management. Where a proposal involves the loss of ancient woodland, you should not take account of the existing condition of the ancient woodland when you assess the merits of the development proposal.

In line with NPPF paragraph 175c your authority you should refuse planning permission if development will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees unless:

- there are wholly exceptional reasons, and
- and
- there is a suitable compensation strategy in place.

Your consideration of the scheme should ensure that both criteria can be satisfied. Consequently, you should not consider the proposed compensation measures as part of your assessment of the merits of the wholly exception reasons that justify the proposed development.

#### Alternatives and wholly exceptional reasons for reservoir project

Natural England expects the local planning authority to be fully satisfied that there are wholly exceptional reasons for the need for the reservoir project and that alternative projects to deliver water resource solutions have been fully explored.

Water shortages are forecast to be most acute in the South and South East of England, and there is an urgent need for Southern Water to plug the gap between supply and demand, and to end the use of drought permits and orders by the end of 2027, except for the most extreme drought events. Southern Water currently has drought orders and permits in place on the River Itchen Special Area of Conservation (SAC) and River Test Site of Special Scientific Interest (SSSI) until 2027. The Drought orders and permits are temporary solutions to prevent a deficit in dry weather and drought but they also cannot avoid an adverse effect on integrity of the River Itchen SAC and significant harm to the River Test SSSI. Natural England fully supports the need to act to prevent harm to these nationally and internationally important chalk rivers.

Southern Water predicts a future deficit which was listed originally as 146 ML/d but is changing as modelling evolves. With this project, Portsmouth Water will provide an additional 21ML/d of water to Southern Water from the scheme proposed in the published Water Resources Management Plan. Additional water made available by the scheme will form at least 14% of the resources required to meet the forecast deficit.

Further strategic work is needed by Southern Water to bring forward a long term water resource solution and address the remaining significant deficit (up to 86%) and to alleviate the impacts from abstraction on protected chalk streams.

In addition to the published transfer we are aware that the Havant Thicket reservoir forms part of a number of other potential solutions for a long term water resources solution for the western area of Hampshire and the Isle of Wight. For example, it is one of four options that has been put forward by Southern Water to receive additional funding from Ofwat to further investigate feasibility for raw water transfer of up to 61 ML/d which now forms the majority of the modelled deficit. Ofwat has requested confirmation that this project will be progressed as a collaboration between Portsmouth Water and Southern Water. Until this has been confirmed, there is uncertainty whether additional funding will be released to explore this option further, which is the first stage of the project's progression.

Whilst significant work is needed to determine the outcome of the RAPID (Regulators' Alliance for Progressing Infrastructure Development) programme, understanding the nature of the role that Havant Thicket reservoir could play in delivering a larger proportion of the long term solution and whether there is a commitment from relevant parties to bring that forward, is, in our view, an important aspect of the decision making in this case.

It is Natural England's view that the local planning authority fully explores the need and role of the current project within the long term plan for strategic water resources for the region. The project's potential role as part of the long term solution and its comparative impacts compared to other alternative schemes should also be considered where the local planning authority is satisfied that future collaboration and commitment is deliverable by key partners.

Given the relatively large scale of irreplaceable habitat that will be lost to the scheme, it is particularly important to understand this context in order to confirm if wholly exceptional circumstances have been met in this case.

#### Alternative locations for reservoir and design options

It is noted that the alternative site assessment has identified Havant Thicket as the preferred location for the reservoir and reservoir design has been determined by a separate alternatives assessment. While Natural England has no reason to doubt these assessments we advise that the local planning authority satisfies itself that the alternative site location assessment and alternative reservoir design option have been fully considered and assessed by the applicant.

In addition to the reservoir itself, the application is also for a visitor centre, car park and access roads. Damage to ancient woodland should always be avoided in the first instance. Natural England seeks further clarification on the alternative routes and design considerations available for the access routes to the visitor centre so that it can be demonstrated that the loss of irreplaceable habitats has been kept to an absolute minimum.

The northern access road is routed along an existing woodland management access track through ancient woodland. It is noted that the footprint of the existing track has been excluded from the calculated figures of ancient woodland loss given that part of the track is already present in this location. However, utilising this route as the main access track to the visitor centre and construction route will result in further ancient woodland loss and associated impacts. This is in addition to the loss associated with the footprint of the reservoir. Natural England is aware alternative access options have been considered that would undoubtedly reduce harm to the ancient woodland.

Natural England therefore strongly recommends that these alternatives are explored further by Portsmouth Water and local planning authorities to ensure that loss of irreplaceable habitat is minimised. In accepting the further harm associated with the proposed access route your authority should be satisfied that all alternative options that would reduce harm to the ancient woodland have been fully explored with key land owners.

#### Mitigation and compensation strategy

An outline mitigation and compensation strategy has been developed by the applicant to address the loss of irreplaceable habitat and to address the impacts arising from the project on habitats and species. In addition to the loss of ancient woodland, there will be direct and indirect impacts to European and nationally protected species as well as wider biodiversity impacts from the loss of 130 ha of semi-improved grassland, loss of 3.7 km of ephemeral streams with notable species, impacts to SINCs and priority habitats and species.

Natural England has welcomed the extensive pre-application engagement with Portsmouth Water during the development of the Environmental Statement for the proposals. This has

allowed the scope of the ecological surveys completed to be agreed, along with the principles and scope of the necessary biodiversity mitigation and compensation strategy. In our view the submitted strategy will help to create, restore, enhance and monitor/study priority habitats at a landscape scale, which if fully realised will contribute significantly to the local Nature Recovery Network. Providing the LPA are satisfied that there are no alternative access road design options that would result in less damage to and loss of ancient woodland, Natural England is also satisfied that provided the mitigation and compensation strategy is secured and fully implemented the scheme will have delivered a suitable compensation strategy for the loss of irreplaceable habitats in the context of NPPF paragraph 175c. Further, we are satisfied that the survey effort and mitigation measures proposed for European and Nationally protected species are appropriate. On this basis, in relation to European Protected Species your authority may be satisfied that the proposals provide sufficient measures to ensure that the test in Regulation 55 (9)(b) of The Conservation of Habitats & Species Regulations 2017 is capable of being met.

Natural England, however, required further areas of confirmation regarding elements of the mitigation and compensation strategy to be clarified prior to determination.

### ***Nitrogen neutrality***

It is noted that Portsmouth Water has undertaken a separate report to examine whether the reservoir will deliver a nitrogen reduction to the Chichester and Langstone Harbours Special Protection Area and Ramsar site and the Solent Maritime Special Area of Conservation. Natural England agrees with the principle of this nitrogen reduction proposal. It is understood that Portsmouth Water has commissioned consultants to peer review the assessment. Natural England's specialists will also review the reports in due course and provide further advice on nitrogen credit capacity in due course.

### **Natural England – following the receipt of further information – dated 2<sup>nd</sup> March 2021**

Additional information has been submitted by Portsmouth Water to address our earlier consultation response dated 19 December 2020. Please note many of our earlier comments still stand. Additional information has been submitted by Portsmouth Water to address these issues:

- alternative options considered for the design of the access roads
- clarification of measures identified in the outline compensation and mitigation strategy and in relation to the outline pipeline application.
- a mitigation approach to address in-combination impacts on the favourable conservation status of Bechstein's bat that hibernate in Singleton and Cocking Tunnels Special Area of Conservation.

Alternative options for the design of the access roads

#### **Northern access – further clarification sought**

We note that the design options for the northern access road have been explored in detail by Portsmouth Water and efforts made to minimise the additional impact on ancient woodland as far as possible and this is welcomed.

In accepting the further harm associated with the proposed access route your authority should be satisfied that all alternative options that would reduce harm to the ancient woodland have been fully explored with key landowners. Natural England requested further information to clarify if all options have been fully exhausted. As you are aware, the northern access route is routed through ancient woodland and will have both direct and indirect effects, in addition to the arising from the footprint of the reservoir.

We note from the submission that the option to access the site from Swanmore Road to the south via Dunsbury Business Park scored the highest in an options appraisal, but this route has not been supported by Portsmouth City Council, who own and manage the business park, due to concerns about likely significant impact on its users.

We have recommended that this alternative access route is explored further by Portsmouth Water with input from the local planning authorities; Havant Borough Council, East Hampshire District Council and Portsmouth City Council. The reservoir is of regional importance from a water resource perspective and will also provide a cross-boundary benefit in terms of recreational resource. We encourage a further conversation between all key stakeholders to confirm whether all avenues to minimise the impact of the proposal on irreplaceable habitat have been explored and to discuss the impact on users of the business park further and understand if there are mitigation measures that can be taken at the business park to allow this access route to be supported.

It is also noted that there is an alternative option - 2A - through land owned by Borrow, which is outside of ancient woodland.

#### Southern access

Natural England and Forestry Commission advice for ancient woodlands is that there should be a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.

It is Natural England's preference that a buffer of a minimum of 15 metres is fully met for the southern access road. It is noted that this is not practicable for some sections of the southern access due to the tight constraints. We advise that the local planning authority is satisfied with the design details for the access route and that all alternative options and design measures have been considered in this case. We advise that this is explored by the local planning authorities as part of the wider discussion on access arrangements to ensure you are satisfied with the approach taken.

#### Mitigation and compensation strategy

It is welcomed that Portsmouth Water is producing action plans for the detailed elements of the mitigation and compensation strategy. It is noted that this is work in progress and we look forward to reviewing these action plans in due course.

If it would be helpful to the local planning authority, Natural England would be happy to attend a meeting to discuss how the elements outlined in the action plans are secured through the legal agreement.

#### **Natural England – following the receipt of further information dated 22<sup>nd</sup> April 2021**

##### Alternative options for the design of the access roads

Our earlier response recommended that the alternative access route through Dunsbury Business Park is explored further by Portsmouth Water with input from the local planning authorities; Havant Borough Council, East Hampshire District Council and Portsmouth City Council. The reservoir is of regional importance from a water resource perspective and will also provide a cross-boundary benefit in terms of recreational resource. Further information has been submitted on the access strategy, rat running and construction management.

As you are aware, the application will lead to a significant loss of irreplaceable habitat. In addition to the loss from the reservoir footprint, the northern access route is routed through ancient woodland and will have further direct and indirect effects on this irreplaceable habitat.

In accepting the further harm associated with the proposed northern access route your authority should be satisfied that all alternative options that would reduce harm to the ancient woodland have been fully explored with key landowners and that there are 'wholly exceptional reasons' for this additional loss. We strongly recommend that the local planning authority satisfies itself that all less damaging alternative options have been fully exhausted.

We are aware that there are outstanding highways issues to be resolved regarding construction traffic along the northern access route. As these discussions evolve, we advise that the local planning authority is mindful of the additional direct and indirect impacts to ancient woodland arising from this access route. It is our advice that less damaging alternatives should be progressed in all cases unless there are wholly exceptional circumstances for an alternative approach.

#### Other biodiversity issues

One further outstanding issue relates to the impact of the reservoir on skylark territories. We advise that a Skylark Conservation Plan is secured that ensures mitigation to fully address the impact to existing skylark territories during construction and operation. This may include new permanent options on the reservoir banks and other areas on site, where appropriate, as well as funding for an appropriate number of skylark plots per territory lost on neighbouring farms in the locality. This approach will ensure the impacts during construction and operation have been fully addressed.

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### **1.13 Planning Policy – East Hampshire District Council**

Support:

#### **Overview**

The proposed land is identified in Policy CP26 of the Joint Core Strategy as land to be safeguarded from development for the creation of a new winter storage reservoir. East Hampshire District Council recognises the importance of meeting the future demand for water, whilst I note that the need for the reservoir has been outlined in the applicant's planning statement. Reference is made to the fact that many areas of the South East are classified as 'seriously water-stressed' by the Environment Agency (paragraph 4.14, planning statement). It is understood that water from the reservoir would be transferred to Southern Water, to help meet the demand for water within its catchment area, in the context of increasing population growth, the effects of climate change and the imposition of tighter limits for the abstraction of water in the River Itchen and the

River Test catchments.

In addition to addressing water resource needs, the proposed development would create a new visitor attraction that could complement the facilities of Staunton Country Park.

However, I note that the development would result in the loss of ancient woodland and result in a permanent change in landscape character within a defined gap between settlements.

The following comments are offered in relation to these and other matters that are significant for planning policy in East Hampshire.

#### **Water Resource**

Policy CP26 states: "The site identified for the Havant Thicket reservoir will be safeguarded from development (see Map 3)". The supporting text at paragraph 7.50 of the JCS says "East Hampshire recognises the importance of implementing this approach by promoting efficient use of existing water resources, while recognising the development of new water resources, such as the Havant Thicket Winter Storage Reservoir. This reservoir will not only provide further water resources but will provide a real opportunity to create a natural and sustainable recreational attraction. The timescale for the provision of the Havant Thicket Winter Storage Reservoir is uncertain and will depend on future regional forecasts of demand for water."

The proposed land is also identified in Policy UI2 within the Local Plan: Second Review (2006) for a reservoir. The supporting text says: "Land south of Havant Thicket, Rowlands Castle which extends into Havant Borough Council and is owned by Portsmouth Water Company, is identified in the Local Plan as being reserved for a reservoir which is likely to come forward in the Plan period. The ecological constraints that apply on the site and the impact on existing tree cover will have to be carefully considered when the detailed proposal for the reservoir, whose precise area is unknown, comes forward. The potential for recreational use will also be encouraged."

In line with Policy CP26 and saved policy UI2, the proposal for a winter water storage facility is supported, subject to the other policy considerations detailed below. The proposal also includes the creation of a network of footpaths, cycle routes and bridleways along the edge of the reservoir as well as places for bird watching. These recreational opportunities are also supported by Policy CP31 and saved Policy UI2.

The Council's Draft Local Plan 2017-2036 also recognizes the potential for a new reservoir at Havant Thicket, through its Policy S31. This policy proposes a site for a winter water storage facility to meet the demand for increased water supply in the south-east in the future,

including a network of paths for walking, cycling and horse riding.

### Biodiversity

The proposed development includes the loss of important habitats and biodiversity, including Sites of Importance for Nature Conservation (SINCs) that comprise areas of ancient woodland. In policy terms, policies CP20 (Landscape), CP21 (Biodiversity) and CP28 (Green Infrastructure) are particularly relevant to this proposal.

Policy CP21 requires development proposals to maintain, enhance and protect the District's biodiversity and its surrounding environment. However, the proposed development includes the loss of SINCs, which is contrary to criterion a), part iii) of CP21. The proposed loss of ancient woodland and veteran trees would also count as the loss of irreplaceable habitat (paragraph 175 of the NPPF). I note that Natural England has confirmed that net gain cannot be achieved in relation to these assets, and that further information has been requested from the applicant, to determine whether a net gain to biodiversity would be achieved overall. The achievement of an overall net gain in biodiversity is important for meeting the requirements of criterion d) of CP21. It will be important to follow the advice of Natural England and Havant Borough Council's ecologist on this matter.

The NPPF (paragraph 175) states that development resulting the loss of ancient woodland and veteran trees should be refused, unless there are 'wholly exceptional reasons' and a suitable compensation strategy exists. I note that the applicant's planning statement summarises a case for determining that the public benefits would outweigh the loss of the habitat. The planning statement also references proposals for extensive planting of woodland, trees, hedgerows and wildflowers, as well as new wetland habitats. It will be important to ensure that adverse impacts on biodiversity can be appropriately mitigated and that compensatory measures have been shown to be the last resort to meet the requirements of criterion d) of CP21.

Overall, the proposal has some potential to meet criteria c), d) and e) of Policy CP21 – depending on expert advice concerning the applicant's proposals for mitigation and compensation – but will not meet part a) of CP21 in respect of maintaining, enhancing and protecting SINCs in East Hampshire. As noted above, the SINCs that would be lost due to the reservoir's development include areas of ancient woodland. The material considerations established through paragraph 175 of the NPPF and the relevant submissions on the biodiversity mitigation and compensation proposals should be therefore be taken into account, in determining whether there are overriding reasons to support the development.

I also note that the proposals are also thought to have beneficial impacts on nutrient discharges to the Chichester and Langstone Harbours SPAs. The potential for improvements to water quality could help to enhance these internationally important habitats, thus helping to reduce the degree of conflict between the proposal and part a) of Policy CP21.

### Transport

The proposal includes one vehicular access point within East Hampshire including the creation a new junction off the B2149, utilising an existing narrow track through an area of Ancient Woodland. A range of new cycle and pedestrian links are also proposed, which would improve the recreational opportunities at the new reservoir. It appears that an existing bridleway crossing the site and linking with Manor Lodge Road would be lost, but that alternative provision would be made for users of this route.

Policy CP31 requires development proposals to protect and provide safe and convenient cycle and pedestrian links that integrate with existing cycle and pedestrian networks (criterion b). New infrastructure for vehicular access must be compatible with improving

highway safety (criteria c) and d)), whilst accessibility by public transport modes should be enhanced (criterion a)). Please note that East Hampshire's Vehicle Parking Standards SPD does not have specific parking standards for visitor centres, or for large recreational opportunities such as the Havant Thicket reservoir proposal.

Comments from Hampshire County Council as the Highways Authority should be considered in the context of the applicant's Transport Assessment findings and the requirements of Policy CP21, such as those highlighted above. The supporting text to Policy CP31 states "Walking and cycling need to be promoted as a means of access to jobs, facilities and services but also as a recreational opportunity with a positive impact on physical and mental health (see Policy CP18)." The proposed improvements to local walking and cycling opportunities are therefore supported in terms of supporting physical and mental well-being in East Hampshire.

### Other Matters

With regards to other matters, the site falls within and identified gap between Rowlands Castle and Havant. Policy CP23 aims to protect the generally open and undeveloped nature of this gap to prevent coalescence and to retain the separate identity of settlements. It is considered that the type of development proposed; the large water body and green infrastructure have a low urbanising effect on the landscape and therefore would not compromise the integrity of the gap nor result in coalescence of the two distinct settlements.

Policy CP20 (Landscape) requires that the setting of the South Downs National Park, as well as local distinctiveness and sense of place, are conserved and enhanced by development (criteria a) and b)). This policy also extends protection to distinctive landscape features, such as trees, woodlands and water bodies (criterion d). I note that as part of the assessment of alternative sites for the reservoir, several have been dismissed because of visual impacts, including on views from the South Downs National Park (planning statement, pages 26-27). The natural topography of land at Havant Thicket, allowing the reservoir to sit within the landscape with limited visual impact, has been identified by the applicant as a reason for the current site selection (planning statement, paragraph 4.47). As noted previously, land is safeguarded in the Joint Core Strategy for the development of a winter storage reservoir. Provided that suitable mitigation and compensation measures are put in place to limit landscape impacts, by (e.g.) enhancing natural landscape features adjoining the reservoir, the principle of a new reservoir in this location can be supported in terms of CP20.

CP30 (Historic Environment) requires development to conserve, enhance, maintain and manage the district's heritage assets and their setting (criteria c). However, the proposed development lies within a Conservation Area and includes the partial loss of The Avenue, a grade II\* Registered Park and Garden which is contrary to criteria c) of CP30 and paragraph 194 of the NPPF. I note that the applicant's planning statement summarises a case for determining that the public benefits would outweigh the impact on the Historic Environment and includes measures to reduce the impact, stating that the significant views within the Registered Park and conservation area would be preserved and where there are impacts, sensitive design and opportunities for interpretation and enhancement will maintain the significant connection between the historic and current landscapes. I note that Historic England conclude that the impact of the reservoir on the registered park and conservation area has been limited to the loss of part of the Avenue and a small change to long views over Leigh Water from the listed terrace, which can be justified by the need for water resource. In the context of this expert advice, I am content that although the proposal does not meet criterion c) of Policy CP30, the impacts on cultural heritage would not be sufficient to outweigh the benefits of the proposal from a water resource and recreational perspective.

### Conclusion

Based on the above, Planning Policy supports the principle of developing a new water

storage reservoir at Havant Thicket, for reasons of securing water resources to meet future demands. Planning Policy also supports the recreational benefits alongside the reservoir, including the proposed network of footpaths, cycle routes and bridleways. However, concerns are raised in relation to the loss of SINCs, areas of ancient woodland and veteran trees, in terms of Policy CP21 of the Joint Core Strategy and the NPPF. It will be important to demonstrate that the potential impacts on biodiversity have been appropriately considered, mitigated and (where necessary) compensated for, taking into account the NPPF and Natural England's consultation response.

#### **1.14 Planning Policy – Havant Borough Council**

##### **Principle of Development**

The site lies within the area as defined by Policy CS18 (Havant Thicket Reservoir) of the Adopted Local Plan. This strategic site allocation is carried forward into Policy KP9 of the 2020 Pre-Submission Local Plan, with associated developer requirements largely transposed, with a number of key additional/expanded developer requirements as follows:

'j. Changes to the natural and rural character are mitigated in particular by:

.....i. Limiting impacts on biodiversity including the creation of additional habitats to ensure biodiversity net gain is secured.....

....v. Minimising the loss of ancient woodland and trees and compensating for the loss of irreplaceable habitat within a costed management strategy;

vi. A comprehensive mitigation strategy is secured for impacts to protected and notable species, including appropriate mitigation measures for Bechstein's bats in line with Policy E15.'

'm. Opportunities have been explored for the prior mitigation of minerals to the satisfaction of Hampshire County Council;

n. The potential impact of the development on the setting of the South Downs National Park has been assessed any necessary avoidance and mitigation measures are included in the scheme design.'

It should also be noted that specific developer requirement are also included in relation to the Registered Park and Garden – these is set out in detail below.

In addition to the above, Policy AL6 which relates to the pipeline route is subsumed into the latter part of Policy KP9.

For the avoidance of doubt, the principle of the development of the site for the proposed reservoir is supported in policy terms subject to the relevant developer requirements being met.

##### **Leisure and recreation facilities**

Both ALP Policy CS18 and HBLP Policy KP9 affirm the need for the development to provide community benefits in terms of additional leisure opportunities which complement existing provision in the borough and the surrounding area as an attraction for local communities. In this respect, it is noted the development proposals include the construction of a visitor centre / café, welfare facilities to be used for recreational and education purposes, together with picnic areas and children play areas and bird watching hide/screens. The Council's Communities Team should be consulted with regard to the proposed visitor and leisure provision.

##### **The historic environment and heritage assets**

Given the adjacent Sir George Staunton Conservation Area, which includes the Avenue and

the Registered Park and Garden of special historic environment (grade II\*), ALP Policies CS11 and DM20 are of relevance in assessing harm or loss to the significance of these heritage assets. Emerging Policy E13 in the HBLP being of relevance in the context of assessing of 'substantial harm' and 'less than substantial harm' to the Registered Park and Garden in particular. The Council's Conservation Team and Historic England will be able to offer further advice on this matter.

#### Ancient woodland

CS11 and DM8 of the ALP and emerging Policy E14 in the HBLP are of relevance given the presence of SINCS, and significantly, the areas of ancient semi-natural woodland and planted woodland present on site. Policy E14 indicates there is a presumption against any development involving the net loss of biodiversity or the loss of any natural features, unless there are wider public benefits that outweigh the harm of this loss.

Criterion j. v. therefore seeks to minimise the loss of ancient woodland and trees, and adequately compensate any loss within a costed management strategy. Natural England's representations to the 2019 Pre-Submission Plan indicate this is needed to address the impacts from increased recreational use associated with the reservoir proposal on the remaining ancient woodland, SINCS and associated habitats and species post-construction. This is to ensure this pressure is managed, monitored and biodiversity enhancements secured in perpetuity. Detailed consideration should also be given to the phasing and timing of any mitigation and compensation proposals.

Policy KP9 also advises that additional habitats should be created to secure net biodiversity gain (under criterion j. i.). This is required in order to address the loss of ancient woodland which is an irreplaceable habitat. DEFRA's Biodiversity Metric is one method of calculating net gain, but the Council's Ecologist and Natural England will be able to advise further in terms of whether the submitted Environmental Statement effectively addresses this matter.

#### Protected species

As the site is used by Bechstein bats, Policy E15 is of relevance in terms of the survey methods which should be employed. Planning permission will only be granted where: 'c. Impacts on Bechstein's bat breeding habitat (i.e. net loss of/significant disturbance to woodland or trees containing roosts) are avoided;

- d. Proposals include appropriate buffers to woodlands, trees, hedgerows and other flight corridors, considering the location of roosts and foraging/commuting habitats; and
- e. Review and monitoring plans are put in place.

Where the above measures cannot be met planning permission will be refused, unless the applicant can show, subject to meeting the tests of the Habitat Regulations, that there would not be an adverse effect on the population of the relevant protected species.'

The proposals will therefore require a project level Habitat Regulations Assessment (HRA) and if necessary, an Appropriate Assessment (AA).

#### Minerals

Two small parts of the north eastern boundary of the site lie in a Mineral Safeguarding Area as defined by the Hampshire Minerals and Waste Plan because it is likely to be underlain brick-making clay. Criterion m. of Policy KP9 therefore expects opportunities for the prior extraction of minerals to have been explored. This is reinforced by the Minerals & Waste Safeguarding in Hampshire SPD which confirms the LPA should consult Hampshire County Council as the total area is over 3 hectares. It is therefore recommended that HCC are consulted.

#### The pipeline route

ALP Policy AL6 and emerging HBLP Policy KP9 do not specifically refer to this element of

the development, but generally seek to safeguard the pipeline route's buffer zone so as not to prejudice its delivery.

#### Summary

The application proposals are supported in policy terms, subject to relevant environmental considerations (as set out above) being appropriately addressed. In addition, it will also be of importance to ensure that the scheme delivers appropriate community benefits which mitigate the loss of the recreation opportunities currently offer by the site.

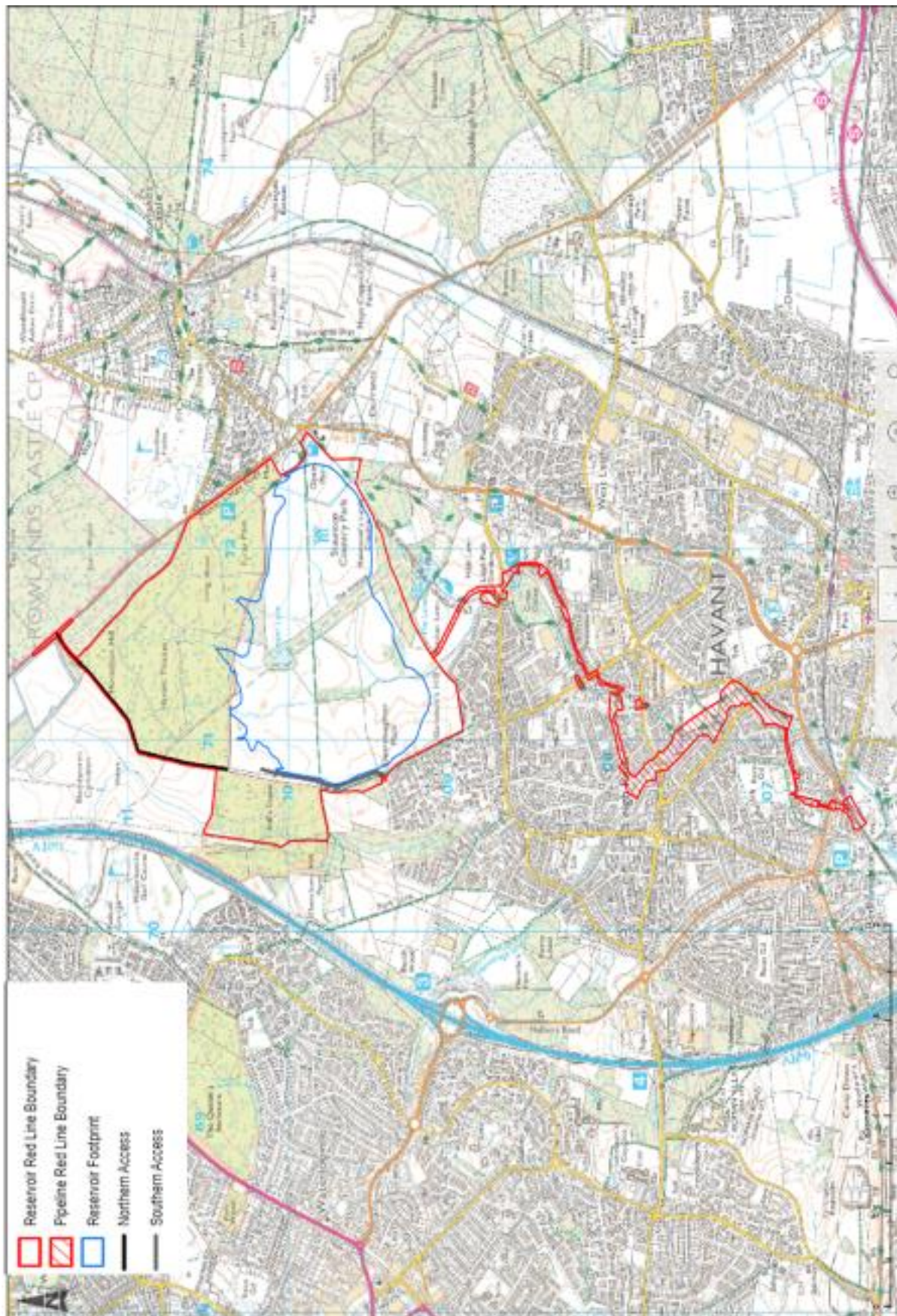
| Term/Acronym      | Definition                                                                                                                                                                                                                                                                                                                           |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AIA               | Arboricultural Impact Assessment                                                                                                                                                                                                                                                                                                     |
| AOD               | Above Ordinance Datum (usually means sea level)                                                                                                                                                                                                                                                                                      |
| ANSW              | Ancient Semi Natural Woodlands                                                                                                                                                                                                                                                                                                       |
| CEMP              | Construction Environmental Management Plan - A plan by the contractor describing how the environmental impacts of construction activities of a project will be minimised and mitigated.                                                                                                                                              |
| Construction      | Construction, also referred to as the construction phase, refers to the all activity on and offsite required to implement the proposed development. The construction phase is considered to commence with the first activity on site, for example the creation of site access or site clearance works, and ends with demobilisation. |
| Conservation Area | An area of special environmental or historic interest or importance, of which the character or appearance is protected by law against undesirable changes (Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990).                                                                                           |
| DRMB              | Design Manual for Roads and Bridges - A series of 15 volumes that provide standards, advice notes and other published documents relating to the design, assessment and operation of trunk roads, including motorways in the United Kingdom, and, with some amendments, the Republic of Ireland.                                      |
| ECow              | Ecological Clerk of Works – will monitor the implementation of the ecological works of the proposed development                                                                                                                                                                                                                      |
| EIA               | Environmental Impact Assessment                                                                                                                                                                                                                                                                                                      |
| EPS               | European Protected Species Mitigation licences                                                                                                                                                                                                                                                                                       |
| ES                | Environmental Statement                                                                                                                                                                                                                                                                                                              |
| FRA               | Flood Risk Assessment                                                                                                                                                                                                                                                                                                                |
| HGVs              | Heavy Goods Vehicles                                                                                                                                                                                                                                                                                                                 |
| HRA               | Habitat Regulation Assessment                                                                                                                                                                                                                                                                                                        |
| LDV               | Light Delivery Vehicle                                                                                                                                                                                                                                                                                                               |

|                           |                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mineral Safeguarding Area | An area identified in order to ensure consultation between the relevant minerals planning authority, the minerals industry and others before certain non-mineral planning applications made within the area are determined.                                                                                                                                                                   |
| MI/d                      | Million litres per day                                                                                                                                                                                                                                                                                                                                                                        |
| NERC                      | Natural Environment and Rural Communities Act 2006                                                                                                                                                                                                                                                                                                                                            |
| NMU                       | Non-Motorised User - Cyclists, pedestrians (including wheelchair users), and equestrians using the public highway.                                                                                                                                                                                                                                                                            |
| OEMP                      | Outline Environmental Management Plan                                                                                                                                                                                                                                                                                                                                                         |
| Open Access Land          | Land where the public have access either by legal right or informal agreement, within which certain activities may be restricted.                                                                                                                                                                                                                                                             |
| Operation                 | Also referred to as completion, this term describes the operation phase of the completed development and is considered to commence at the end of the construction phase, after demobilisation. The duration of the operation phase is dependent on the nature of the proposed development.                                                                                                    |
| PAWS                      | Plantations on Ancient Woodland Sites                                                                                                                                                                                                                                                                                                                                                         |
| Permissive Paths          | A path over which there is no formal right of access (i.e. not a public right of way) whose use by the public is allowed by the landowner.                                                                                                                                                                                                                                                    |
| Pipeline corridor         | Land are of the Scheme within the red line boundary of the pipeline route                                                                                                                                                                                                                                                                                                                     |
| PRoW                      | Public Right of Way - A way over which the public have a right to pass and repass. The route may be used on foot, on (or leading) a horse, on a pedal cycle or with a motor vehicle, depending on its status. Although the land may be owned by a private individual, the public may still gain access across that land along a specific route. Public rights of way are all highways in law. |
| Ramsar Site               | Wetlands of International Importance                                                                                                                                                                                                                                                                                                                                                          |
| REAC                      | Record of Environmental Actions and Commitments                                                                                                                                                                                                                                                                                                                                               |
| RPG                       | Registered Park and Gardens                                                                                                                                                                                                                                                                                                                                                                   |
| SAC                       | Special Area of Conservation - Areas of strictly protected sites designated under the EC Habitats Directive (92/43/EEC) on the conservation of natural habitats and of wild fauna and flora. The listed habitat types and species are those considered to be most in need of conservation at a European level (excluding birds).                                                              |
| SCI                       | Statement of Community Involvement                                                                                                                                                                                                                                                                                                                                                            |



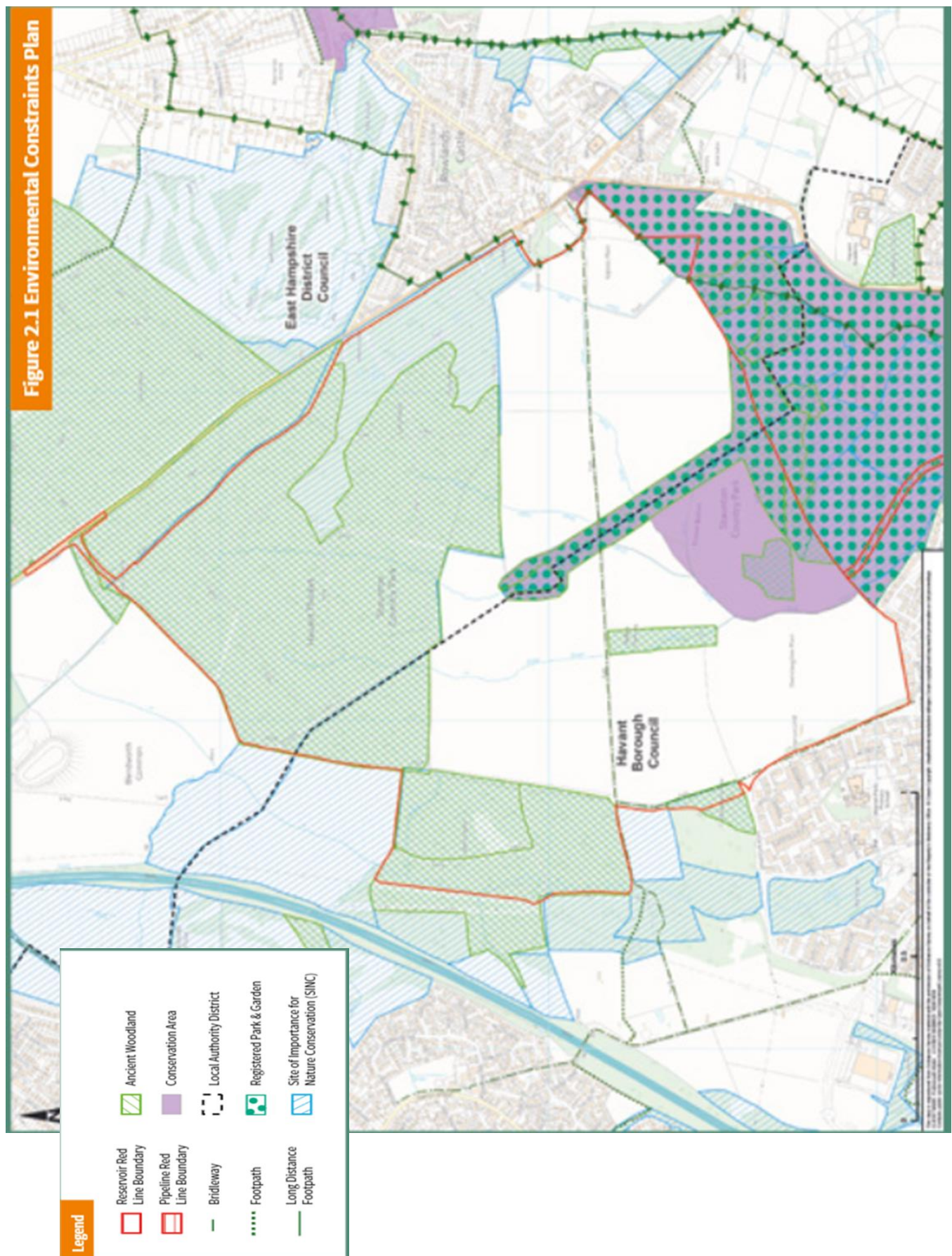
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|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SCP                           | Staunton Country Park                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| SDNP                          | South Downs National Park                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| SINC                          | Sites of Importance for Nature Conservation - Locally important sites of nature conservation adopted by local authorities for planning purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| SPA                           | Special Protection Area - Areas of strictly protected sites classified in accordance with Article 4 of the EC Birds Directive (2009/147/EC) on the conservation of wild birds. They are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species.                                                                                                                                                                                                                                                                                                                                                                           |
| SSSI                          | Site of Special Scientific Interest - A conservation designation denoting to a protected area in the United Kingdom. The Sites are protected by law to conserve their wildlife or geology.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Stakeholder                   | The whole constituency of individuals and groups who have an interest in a subject, place or landscape.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Strategic Road Network        | The network of approximately 4,300 miles of motorways and major 'trunk' A roads across England, managed by Highways England.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| SuDS                          | Sustainable Urban Drainage Systems                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| SWMP                          | Site Waste Management Plan - A Site Waste Management Plan should describe how materials will be managed efficiently and disposed of legally during the construction of the works, explaining how the re-use and recycling of materials will be maximised. This involves estimating how much of each type of waste is likely to be produced and the proportion of this that will be re-used or recycled on site, or removed from the construction site for re-use, recycling, recovery or disposal. It is the joint responsibility of the client and the principal contractor to ensure that a Site Waste Management Plan is in place before construction begins and to ensure that it is enforced. |
| TA                            | Transport Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| TP                            | Travel Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| The reservoir site            | Land area of the Scheme within the red line boundary at the reservoir site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| The Scheme                    | The overall Scheme includes both the reservoir and pipeline applications, which are the subject of the Environmental Impact Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Tree Preservation Order (TPO) | A Tree Preservation Order is made by a Local Planning Authority to protect specific trees or a particular area, group or woodland to protect specific trees or a particular area, group or woodland from deliberate damage and destruction. TPOs can prevent the felling, lopping, topping,                                                                                                                                                                                                                                                                                                                                                                                                        |

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | uprooting or otherwise wilful damaging of trees without the permission of the Local Planning Authority.                                                                                                                                                                                                                                                                                                                                                                                               |
| TS             | Transport Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| UXO            | Unexploded Ordnance - An explosive weapon (bombs, shells, grenades, land mines, naval mines, cluster munition, etc.) that did not explode when they were employed and still pose a risk of detonation, sometimes many decades after they were used or discarded.                                                                                                                                                                                                                                      |
| Viewpoint      | The location from which photographs that describe specific or representative views toward the proposed development are captured.                                                                                                                                                                                                                                                                                                                                                                      |
| Visual amenity | The overall pleasantness of the views people enjoy of their surroundings, which provides the setting or backdrop for the enjoyment of peoples activities.                                                                                                                                                                                                                                                                                                                                             |
| WFD            | Water Framework Directive - The Water Framework Directive (2000/60/EC) is a EU directive which aims to achieve good status of all water bodies (surface waters, groundwaters and the sites that depend on them, estuaries and near-shore coastal waters) and the prevent any deterioration. It has introduced a comprehensive river basin management planning system to protect and improve the ecological quality of the water environment. It is underpinned by the use of environmental standards. |
| WRMP           | Water Resources Management Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| WRSE           | Water Resources in the South East                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



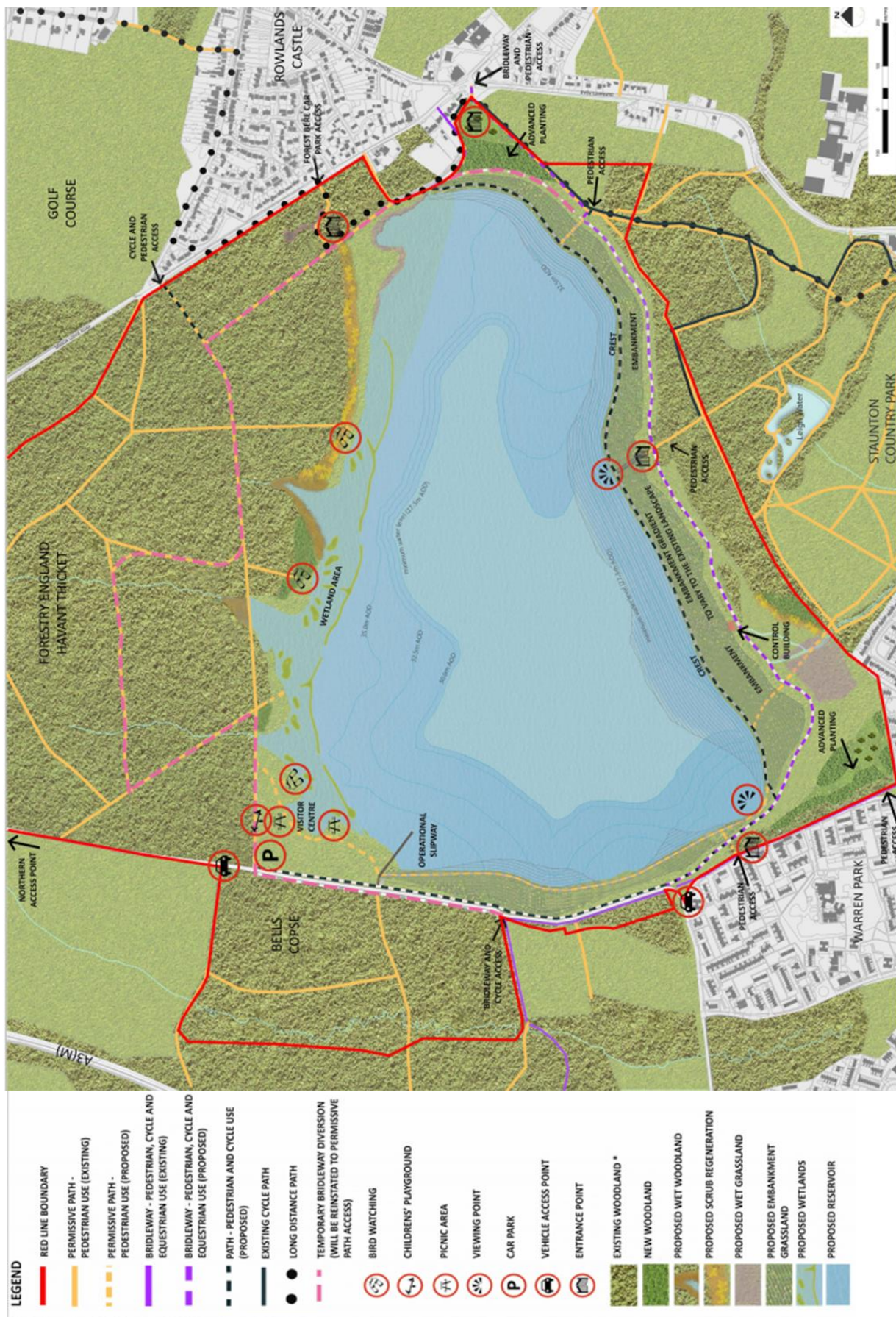
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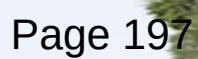
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## North west outline masterplan – Visitor Centre

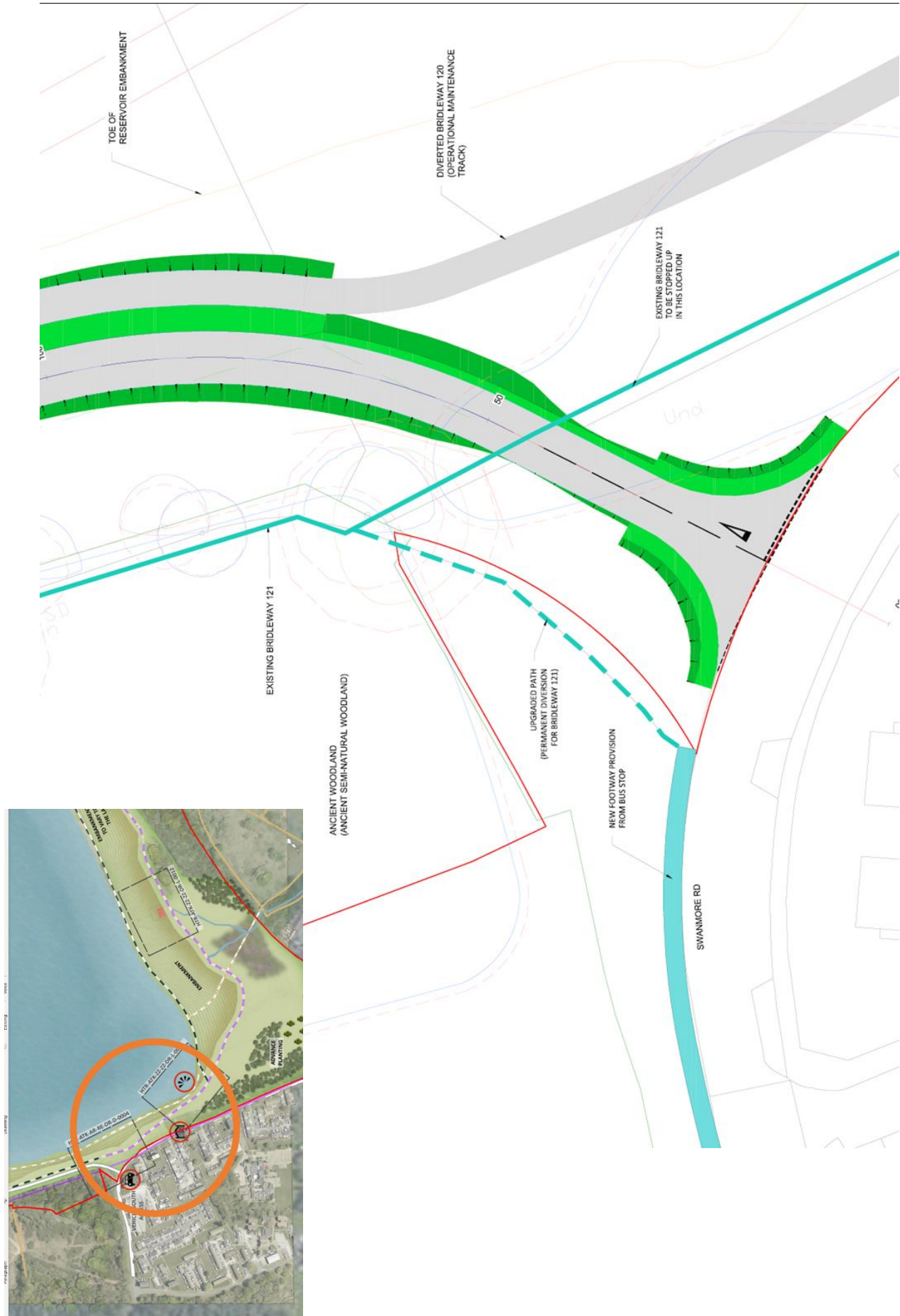


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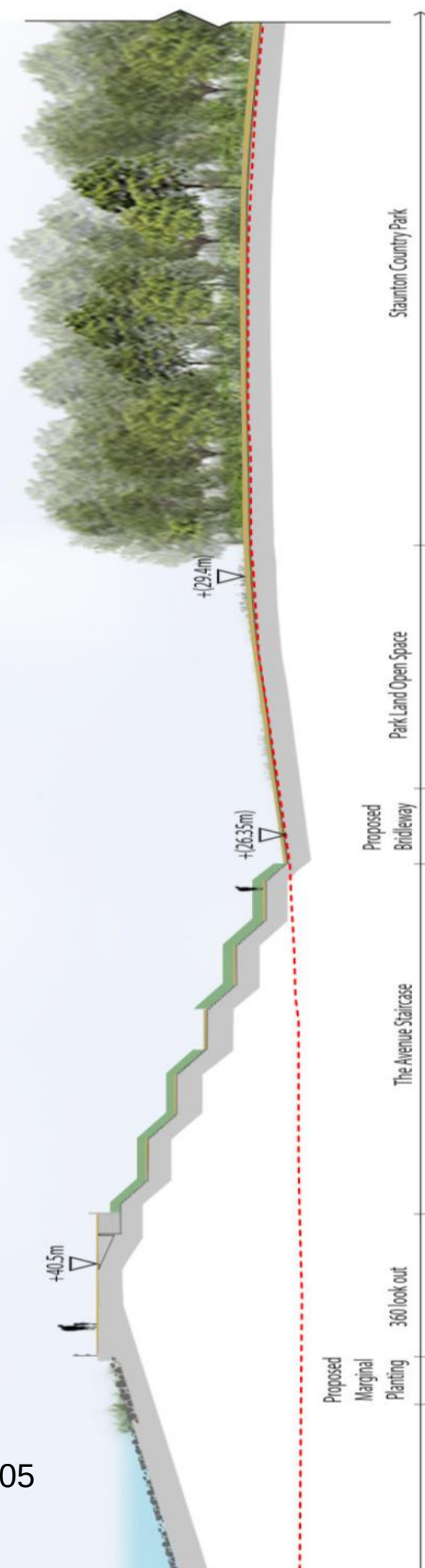


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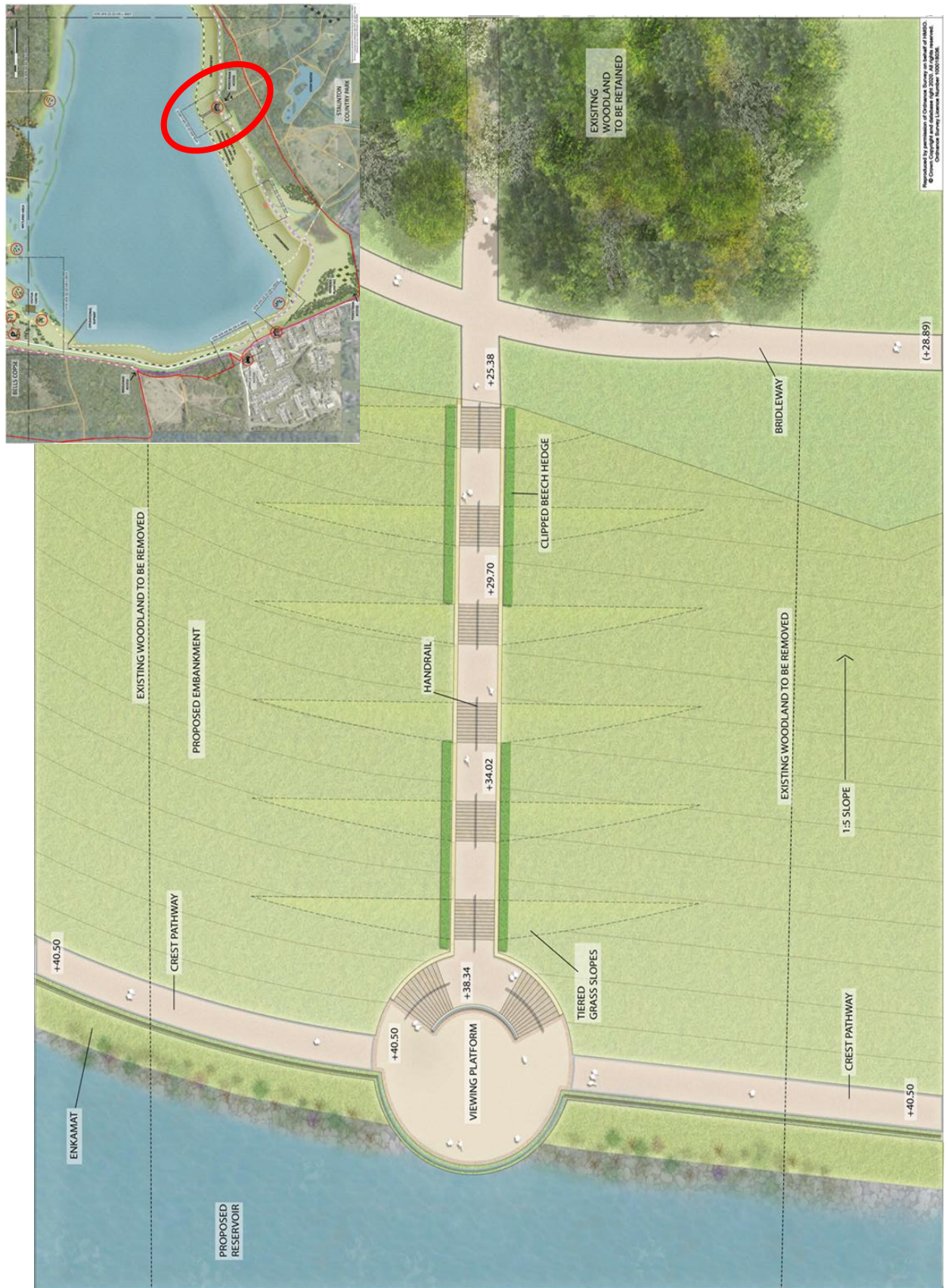


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Site Address: Pipeline from Proposed Reservoir Site, Middle Park Way to land adjacent to, West Street, Havant

Proposal: Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) development of a new pipeline to transfer water from Bedhampton Springs to fill the reservoir in the winter and draw it off to treat and supply when needed in the summer comprising: Construction of an underground, bi-directional pipeline linking the reservoir with the existing pumping station at Bedhampton; Emergency drawdown discharge structure at Hermitage Stream; Upgrades to existing culverts; Washout and air valve chambers (typically below ground).

Application No: APP/20/00991

Expiry Date: 19/03/2021

Applicant: Portsmouth Water

Agent: Atkins Global

Case Officer: Lewis Oliver

Ward: Battins, Barncroft, Bedhampton and St Faiths

Reason for Committee Consideration: This is an application of wider public interest and is accompanied by an Environmental Statement.

Density: Not applicable for this scheme.

HDS Recommendation: **GRANT OUTLINE CONSENT**

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## **Executive Summary**

### The Site

The 'Scheme' includes the reservoir at Havant Thicket and the pipeline connecting to Bedhampton Springs and is wholly within the administrative area of Havant Borough Council. The pipeline corridor extends from the Portsmouth Water pumping station at Bedhampton, northwards through the Leigh Park estate, including being alongside the Hermitage Stream and residential roads to the proposed control house within the reservoir site. The length of the pipeline is approximately 4.8km, of which 210m is within the reservoir site and included in application APP/20/00990.

### The Scheme

The proposal is for the construction of an underground, bi-directional pipeline linking the reservoir with the existing pumping station at Bedhampton; Emergency drawdown discharge structure at Hermitage Stream; Upgrades to existing culverts; Washout and air valve chambers (typically below ground). The new inlet / outlet pipeline would typically be installed in an open trench, typically 3.5m deep depending on location. The pipe would have a varying diameter (1.2m to 0.7m) depending on location. The crossing of the pipeline under the railway line would be installed using trenchless techniques. Most of the pipe would be installed using an 'open cut' method, digging down from the road or land, laying the pipe and then filling in the ground above it. Some places would involve tunnelling underground using a 'pipejacking' method to push the pipe into place underground from one open- cut hole, for example, under the railway line. Where the Riders Lane and Hermitage Streams are crossed, the opportunity has been taken to improve these watercourses.

### The Need for the Scheme

The increased water supply, available to Portsmouth Water on completion, would enable water to be supplied to Southern Water. Southern Water has a forecast deficit

in water resources in the Hampshire area - created by the reduction of its abstraction licences on the internationally designated River Itchen imposed by the Environment Agency. Southern Water has an agreement under Section 20 of the Water Resources Act 1991 that requires them to address their forecast deficit. Additional water made available by the Scheme would form at least 14% of the resources required to meet the forecast deficit. In addition, Portsmouth Water have outlined that they would utilise supplies from the reservoir, to have a secure water supply, particularly in the peak summer period.

This proposed scheme forms a key part of Water Resources in the South East group's regional strategy and Portsmouth Water and Southern Water's 25-year and 50-year Water Resources Management Plans, which gained approval from the Secretary of State for the Environment, and Ofwat, in 2019.

#### Alternatives considered

The Havant Thicket site has been identified as the preferred location for a reservoir following numerous studies undertaken over the past 53 years.

Detailed ground investigations were commissioned by the Southern Water Authority in the 1960's and 1970's to identify potential reservoir sites with suitable geological conditions – i.e. its natural clay base.

The Havant Thicket Site Alternatives Assessment (April 2020) summarises the site selection work that had been undertaken previously. The assessment methodology utilises a three-stage appraisal process in order to identify specifically the optimal location and design of a reservoir. Seventy-two potential sites were assessed across the Portsmouth Water and south Hampshire area in stage one. Sixty-seven of the 72 sites were rejected at this stage, primarily because the proposed source of abstraction was protected under an Abstraction Licensing Strategy and/or the Habitat Directive. Only sites that could be supplied by the Havant and Bedhampton Springs were feasible. Five sites were taken forward to stage two and Havant Thicket was assessed as providing the best option as it has the largest capacity, allows for the development of areas for recreational activity that would benefit the local community, together with the potential for nature and biodiversity enhancement, requires the shortest pipeline and would result in the least impact on the protected Chichester and Langstone Harbour.

At stage three, eight conceptual reservoir designs on the Havant Thicket site were assessed and discussed with stakeholders. This led to the development of two new refined concepts which contained a combination of the best features of the favoured appraised options. These were subject to public consultation in 2008 and refined further to form the 2009 Outline Masterplan. This Scheme is a refinement of the 2009 scheme, it further reduces the impact on ancient woodland and the RPG, increases the area of retained wetland, minimises potential traffic impacts, enhances landscaping and optimises opportunities for recreation and biodiversity.

#### Public consultation

Community engagement has been carried out starting in 2004, including public exhibitions and the establishment of a Stakeholder Group; which included Government Agencies, local government, including Rowlands Parish Council and community and environmental groups.

The work undertaken to prepare the Outline Plan in 2009 was informed by a series of public exhibitions in 2008. Information boards were installed across the site in key locations explaining the scheme and how to get involved.



In 2020, due to Covid-19 situation, it wasn't possible to hold face-to-face exhibitions, so, instead Portsmouth Water ran a series of public webinars that included interviews with scheme experts as well as live Q&A sessions. A large promotional campaign was also launched, to reach as many people as possible, including 50,000 leaflets posted to local households with details on how to get involved and find out more.

The proposal has been subject to extensive review and consultation. Extended negotiations have taken place, resulting in the plans being significantly amended to address concerns raised; revising the design, layout and improving landscaping, which has improved the impact of the development on neighbouring residential properties. The application is supported by an Environmental Statement (ES) together with specialist reports in respect to the key issues, including landscape impact, ecology, highways and drainage. Full extended publicity has been undertaken on the initial and amended plans including consultation, notification of neighbours, site notices and adverts in the press.

#### Planning considerations

The safeguarding and allocation of a reservoir and associated pipeline at Havant Thicket in the Local Plans recognises that the supply of water needed from the reservoir is critical to meet future population and housing demands.

Any harmful visual impact of the development would be localised during the construction period. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall, the development would not unduly affect the character and appearance of the wider area. It has also been concluded that the development would not have an adverse impact on highway safety, both in terms of its impact on the surrounding highway network and providing safe access to the site.

Whilst it is recognised that the site is in flood zones 1, 2 and 3; significant flood mitigation measures have been included. The proposal additionally meets the requirements of the sequential test as it would provide a robust and reliable water supply.

The proposed mitigation plans, which include both on-site and off-site ecological improvements to waterbodies, are considered to provide an appropriate balance of measures to satisfy both Article 4.7 Water Framework Directive and Biodiversity Net Gain requirements.

In terms of flood risk, the detailed flood risk assessment, including emergency drawdown strategy, have been considered acceptable by the Environment Agency (EA) and Local Lead Flood Authority.

Following extensive review and consultation to address concerns over vehicular, pedestrian and cycle access. It is now considered that the development would provide safe access to the site would not have a severe impact on the safety and free flow of the highway network.

The Councils have conducted a joint Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. The screening under Regulation 63(1)(a) found overall, the Scheme would result in reductions in nutrients loads (particularly nitrates) to the internationally protected Chichester and Langstone Harbours Special Protection Area (SPA) from the

Hermitage Stream catchment (including the flows from the Bedhampton and Havant Springs), and from Habitat loss. The subsequent Appropriate Assessment included a package of measures based on the suggested scale of mitigation in the Position Statement on Nutrient Neutral Development, where this development would result in reduction of nutrients, and the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021). The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur.

To conclude, it is considered that the development demonstrates that there is an overriding public need for the Scheme which would help meet the deficit resulting from the restriction on abstraction from the internationally designated River Itchen and the nationally designated River Test and would help to conserve and enhance the biodiversity of these rivers. There is a lack of suitable alternative sites, or design solutions within the application site, which avoids loss of ancient woodland or harm to the Grade II\* RGP and Sir George Staunton Conservation Area. Furthermore, a 'suitable compensation strategy' comprising extensive mitigation and compensation measures has been developed in discussion with Natural England, the Environment Agency, and Hampshire County Council. This provides the 'wholly exceptional reasons' and 'clear and convincing justification' in line with the National Planning Policy Framework, and as such planning permission is recommended to be granted subject to conditions and legal agreement.

## **1 Site Description**

1.1 The scheme includes the reservoir at Havant Thicket and the pipeline connecting to Bedhampton Springs and is wholly within the administrative area of Havant Borough Council. The pipeline corridor extends from the Portsmouth Water pumping station at Bedhampton, northwards through the Leigh Park estate, to the proposed control house within the reservoir site. The length of the pipeline is approximately 4.8km of which 210m is within the reservoir site and included in application APP/20/00990. A detailed description of the site is provided below.

1.2 The route extends from the Portsmouth Water pumping station at Bedhampton through Havant before finishing up at the proposed Control House near the southern edge of the reservoir site. Generally, the route runs north along Hermitage stream before turning north-east through residential areas, broadly following Riders Lane Stream towards the reservoir site. To aid description in this assessment the route has been split into sections (1-8) these are described below:

- *Section 1 - Bedhampton Pumping Station to Chadswell Meadow:*

From the southernmost point at the pumping station the route heads north west across the open grassland area surrounding the pumping station before crossing the railway line just south-west of Bedhampton Train Station. Once past the rail line, the route passes through a small area of buffer planting along the railway edge before meeting Chadswell Meadow.

- *Section 2 – Chadswell Meadow to Bidbury School:*

At Chadswell Meadow the route turns north-east running within the road until it meets Brunswick Gardens. At this point the pipeline corridor passes through the car park of the Bedhampton Community Centre to meet the B2149 Bedhampton Road, which it crosses to connect to North Street. It then runs the full length of North Street until it meets the southern boundary of the Bidbury School Grounds.

- *Section 3 - Bidbury School to Fraser Road:*

The route heads north crossing the school playing fields, then continues to head north through an area of school car parking until it meets Fraser Road at the School gates. Once past the gates, the route turns to head east along the full length of Fraser Road until it meets the public open space /green corridor that runs alongside Hermitage Stream.

- Section 4 – Fraser Road to Highclere Avenue:

At the end of Fraser Road, the route then turns north to follow the route of Hermitage Stream, running alongside the western edge within the public open space following the route of the E9 long distance route footpath. The route follows the footpath crossing Purbrook Way, just north of this it turns north east to cross Hermitage Stream and connecting to the western end of Highclere Avenue. Parts of the site are in flood zones 2 and 3.

- Section 5 – Highclere Avenue to Ellisfield Road:

Once on Highclere Avenue the route continues east within the road until it reaches Riders Lane junction. It then crosses Riders Lane changing its course south-east crossing Riders Lane Stream and associated public open space before joining Ellisfield Road. Parts of the site are in flood zones 2 and 3.

- Section 6 – Ellisfield Road to High Lawn Way:

At Ellisfield Road the route turns to run north within the road before meeting Dunsbury Way, which it follows for a short distance before turning east onto High Lawn Way.

- Section 7 – High Lawn Way to Middle Park Way:

The pipeline corridor now runs within High Lawn Way travelling north-east, then curving towards the north just past Front Lawn School. Nearing the road junction with Middle Park Way the route turns north west to cross an area of public open space adjacent the Great Copse woodland, which is an area of Ancient Woodland, and is within the Staunton Conservation Area and Registered Park and Gardens. Within the public open space, the route follows an existing footpath until it is dissected by Middle Park Way.

- Section 8 – Middle Park Way to proposed Control House:

In the final section of the pipeline corridor, it crosses Middle Park Way northwards entering Staunton Country Park. Here it runs north-west along the western side of High Lawn and Thicket Lawn before entering the southern boundary of the reservoir site where it meets the northern most point of the route at the connecting with the Proposed Control House. This part of the site is designated within the Staunton Conservation Area and Registered Park and Gardens, and High Lawns Site of Importance Nature Conservation (SINC).

- 1.3 The pipeline crosses Havant Footpaths 506a which runs west from Ellisfield Road, Havant Footpath 33 which runs north from Barncroft Way, Havant Footpaths 507 and 41b connect Fraser Road and North Street by Bidbury Junior School.

## **2 Planning History**

### Linked reservoir application:

Havant – APP/20/00990 and East Hampshire 51680/001:

Hybrid application seeking: 1) Full Planning permission for Development of a reservoir for raw water storage, A pumped storage reservoir, with the minimum required total storage capacity of 8,700 million litres (MI), to support the planned bulk supply transfer

of at least 21M/d in extreme (currently defined as 1:200 year) drought conditions;  
 Construction of an earth embankment adjacent to Staunton Country Park ;  
 Construction of an overflow discharge/spillway at the south-western side of the reservoir and associated works; Construction of a new junction on the B2149 Manor Lodge Road and a new junction on Swanmore Road. Provision of viewing areas on the southern embankment and western edge of the reservoir.

2) Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) control house partially incorporated within landscaped earth mounding adjacent to the south west embankment; together with provision of other earth embankments. Construction of a visitor centre / cafe, with storage areas and welfare facilities to the northwest of the reservoir to be used for recreational and education purposes; Provision of picnic area(s) and children's play area(s). Access routes from both junctions to the visitor car park; visitor car park comprising 193 car parking spaces and between 70 and 75 overflow spaces plus spaces for staff, coach/minibus and disabled drivers sited to the north west of the reservoir. Creation of a permanent wetland on the northern side of the reservoir and construction of bird watching hide/screen(s); recreational facilities for public amenity. Provision of perimeter tracks and a network of bridleways, cycle paths and footpaths; Construction of a slipway on the western bank of the reservoir for operational use only and a small section of the proposed pipeline (210m).

### **3 Proposal**

- 3.1 The proposal is for an Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) development of a new pipeline to transfer water from Bedhampton Springs to fill the reservoir in the winter and draw it off to treat and supply when needed in the summer comprising: Construction of an underground, bi-directional pipeline linking the reservoir with the existing pumping station at Bedhampton; emergency drawdown discharge structure at Hermitage Stream; upgrades to existing culverts; washout and air valve chambers (typically below ground).
- 3.2 The new inlet / outlet pipeline would typically be installed in an open trench, typically 3.5m deep depending on location. The pipe would have a varying diameter (1.2m to 0.7m) depending on location. The crossing of the pipeline under the railway line would be installed using trenchless techniques. Most of the pipe would be installed using an 'open cut' method, digging down from the road or land, laying the pipe and then filling in the ground above it. Some places would involve tunnelling underground using a 'pipejacking' method to push the pipe into place underground from one open- cut hole, for example, under the railway line. Where the Riders Lane and Hermitage Streams are crossed, the opportunity has been taken to improve these watercourses.
- 3.3 This outline application for the pipeline is being submitted with some details reserved for approval at a later stage in the form of reserved matters applications. Detail which is covered in the Pipeline planning application includes general location, appearance and scale of the pipe and associated structures. The application outlines that the parameters for the emergency drawdown structure kiosk, the sizes would be as follows:
  - Maximum envelope for above ground kiosk (associated with discharge structure):
  - H3m x W6.5m x L10.5m is the size of above ground kiosk at Hermitage Stream
  - Overall height: 3.5m above ground level.
- 3.4 Details which would be reserved for approval at a later stage include confirmation of the exact pipeline route (within the red line boundary) and detailed design of the

associated structures. Detailed traffic and construction management plans would be the subject of planning conditions.

#### Construction phasing

- 3.5 The reservoir and pipeline would be constructed in phases, to reduce the amount of traffic travelling to and from the reservoir site at any one time. It is likely that the pipeline would be broken down into sections to allow multiple teams to operate at the same time. As the pipeline would be routed through residential areas, there is insufficient space for a dedicated construction compound and laydown area to support these activities. Therefore, the main construction support site and laydown areas at the reservoir site would be used throughout the construction of the pipeline. Small scale, portable welfare facilities would be provided for the pipeline workforce along the pipeline corridor at appropriate locations. Each section of the pipeline that is being worked on would require fencing to secure the site and protect the health and safety of the public.
- 3.6 Any outline planning approval would be subject to detailed Traffic Management and Construction Environmental Management Plans which would include measures to reduce disruption from construction activities. The reservoir and pipeline would be constructed in phases, to reduce the amount of traffic travelling to and from the reservoir site at any one time. Whilst it is expected that both the northern and southern access points would be available, HGV construction traffic would be required to use the northern access as the main access point, with the southern access only being used for construction of the top third of the pipeline. Construction traffic for the lower two thirds of the pipeline would access the pipeline corridor directly from junctions 2 and 3 of the A3(M). The application documentation outlines that construction during school term times would be avoided, for the elements of the pipeline runs close to schools.
- 3.7 The chosen route for the pipeline corridor utilises existing road corridors where possible, allowing the pipeline to be laid within existing highway carriageway, avoiding impact to soft landscape areas and street trees. Where the pipeline corridor must run through soft landscape areas, such as public open space, a route has been chosen to minimise impact to existing trees and vegetation, wherever possible. This includes following routes of existing pathways or open areas of grassland as much as possible, thus reducing the amount of existing vegetation that would need to be cleared for excavation.

#### **Environmental Impact Assessment (EIA)**

- 3.8 By virtue of the scale and likely significant effects of the development on the environment the proposed new reservoir and associated infrastructure and works constitutes EIA development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations'). The scope of the EIA was agreed with the relevant authorities and statutory consultees and the ES reports the findings of that assessment. This outline planning application for the pipeline, together with the Reservoir application being considered are a 'single project' (i.e. inextricably linked), as such they are supported by one Environmental Statement (ES) which assesses both the reservoir and pipeline as one scheme. The following topics were identified as having likely significant effects:
- Air Quality
  - Historic Environment
  - Biodiversity
  - Ground Conditions

- Landscape and Visual Impact
- Noise and Vibration
- Traffic and Transport – including a Transport Assessment
- Material Resources and Waste
- Water (including Flood Risk Assessment outlining flows, quality and groundwater)
- Effect on Climate
- Vulnerability to Major Accidents and Disasters
- Population and Human Health
- Cumulative and In-Combination Effects

3.9 The Environmental Statement includes a Record of Environmental Actions and Commitments (REAC) which would be implemented during the construction and operation of the reservoir site and access routes, and pipeline. The REAC would also inform the reserved matters applications, legal agreement and planning conditions for the Scheme. The relevant actions are summarised below to enable a full understanding of the phasing and associated requirements of this development at outline and reserved matter stages. The actions and commitments are relevant to both parts of the Scheme (reservoir and pipeline) unless indicated otherwise:

|    | <b>Detailed commitments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | Reserved matters applications to be submitted within 5 years of outline consent granted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 2  | Reserved matters (details) applications for reservoir to be prepared and submitted for approval in relation to the following components of the reservoir: <ul style="list-style-type: none"> <li>a. The buildings - Visitor centre and bird hide and control house;</li> <li>b. Layout of the north west corner including visitor centre, car park and bird hide;</li> <li>c. Viewing area;</li> <li>d. Embankment profile/toe (apart from where the embankment joins Staunton Country Park which is fixed)</li> <li>e. Wetland; and</li> <li>f. Children's play areas.</li> </ul> |
| 3  | Reserved matters (details) applications for pipeline to be prepared and submitted for approval in relation to the following: <ul style="list-style-type: none"> <li>a. Confirmation of pipeline route within red line boundary; and</li> <li>b. Design of associated structures e.g. culverts (appearance, scale, layout).</li> </ul>                                                                                                                                                                                                                                              |
| 4  | Scheme to be constructed in accordance with the submitted design and approved planning drawings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 5  | Preparation of an Archaeological Management Plan (Reservoir).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 6  | During detailed design, explore options for enhancement and interpretation of the historic environment as part of public realm amenities (Reservoir).                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 7  | Preparation of detailed Biodiversity Mitigation and Compensation Strategy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 8  | Preparation of a detailed long-term landscape and ecological management plan including management measures, monitoring and plan review requirements (post five-year aftercare period) (Reservoir).                                                                                                                                                                                                                                                                                                                                                                                 |
| 9  | A strategy for advance and phased mitigation planting / landscape reinstatement (Reservoir).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10 | Preparation and implementation of a Watercourse Mitigation and Compensation Strategy (including fish management plan).                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|    |                                                                                                                                                                               |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11 | Preparation of an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS), Tree Protection Strategy (Pipeline).                                      |
| 12 | A Soil Management Plan including separate management of ancient woodland soils for restoration (Reservoir).                                                                   |
| 13 | Preparation of a Construction Environmental Management Plan (CEMP) informed by the Outline CEMP and REAC.                                                                     |
| 14 | Preparation of a Construction Traffic Management Plan to manage the impact of HGV traffic on the highway network (including construction sequencing plan).                    |
| 15 | Preparation of a construction travel plan to maximise opportunities for staff travel to and from the site using modes other than the private car.                             |
| 16 | Preparation of an operational travel plan to maximise opportunities for staff and visitors to travel to and from the site using modes other than the private car (Reservoir). |
| 17 | Preparation of a Site Waste Management Plan                                                                                                                                   |
| 18 | Preparation of a Materials Management Plan in accordance with CL:AIRE Definition of Waste: Development Industry Code of Practice.                                             |
| 19 | Preparation of a Drainage Management Plan.                                                                                                                                    |
| 20 | Preparation of a Renewable Energy Strategy (Reservoir).                                                                                                                       |
| 21 | A strategy for offsite woodland and wood pasture creation (Reservoir).                                                                                                        |
| 22 | Preparation of a strategy for capital grants scheme and / or biodiversity net gain strategy.                                                                                  |
| 23 | Preparation of a visitor management plan.                                                                                                                                     |
| 24 | All permits, consents and licences to be in place prior to commencement of construction.                                                                                      |

3.10 The Record of Environmental Actions and Commitments (REAC) as part of the Outline Environmental Management Plan (OEMP) comprises the following mitigation measures:

- During construction, an environmental clerk of works (ECoW) would monitor compliance with all environmental management requirements, plans and restoration;
- Retention and protection of identified trees, shrubs and hedges that are considered to be significant (by reason of landscape or visual importance), would be carried out in accordance with British Standards Institute (2005): BS 5837:2012 Trees in Relation to Construction;
- All other existing vegetation to be retained (e.g. grasslands and wetlands) as part of the Scheme would be protected in accordance with measures REAC as part of the OEMP.
- Where the pipeline corridor crosses an existing hedge, area of scrub or tree belt, existing gaps would be used where possible so that vegetation removal is minimised. No unnecessary tree or shrub removal would be undertaken, and vegetation which is to be removed would be marked and agreed on site with the ECoW prior to any felling. Where removal of sections of scrub, hedgerows and trees are unavoidable, appropriate hedge species would be replanted along the line of the existing hedge or within the area of scrub, and managed to restore the existing hedgerow or area of scrub;
- No construction related vehicular access would be permitted outside the defined working width and agreed access points;
- Materials and machinery would be stored tidily during the works;
- Operations would be designed so that progressive restoration of finished areas can

occur where appropriate, and so that stored topsoil can be replaced on graded areas as these are finished;

- There would be an end aim to create naturalistic and sympathetically designed landscape profiles, once the works are complete. Slopes in the area are very gentle and this would be reflected in any grading of soils associated with restoration. Visible manmade slope reinforcement such as gabions, concrete, geotextiles and mesh would not be used;
- Topsoil and subsoil would be replaced (using existing topsoil and subsoil removed and stored during excavation) and evenly spread. Areas of disturbed earth would be re-graded to blend with the surrounding landform, cultivated and seeded or replanted; and
- A restoration plan would form part of the REAC as part of the OEMP as described above. It would be implemented to restore landscape earthworks, soils and surface vegetation including trees and alongside tracks and along the pipeline corridor.

## **4 Policy Considerations**

### **4.1 National Planning Policy Framework**

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development based upon a number of core principles and themes. Those most relevant to this Scheme relate to:

- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Facilitating the sustainable use of minerals

4.2 NPPF paragraph 20 requires local authorities to have strategic policies setting out an overall strategy for the pattern, scale and quality of development and make sufficient provision for inter alia, infrastructure for water supply. Broad locations for infrastructure required should be indicated on a key diagram, and land-use designations and allocations identified on a policies map. Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities.

4.3 The NPPF advises Local Authorities to have strategic policies for infrastructure in their Local Plans, which would include a reservoir, to ensure the strategic needs of the area are discussed. To identify what is required in terms of the area's infrastructure needs, Local Authorities must have an effective dialogue with the relevant bodies. The NPPF states a strategic approach to maintaining and enhancing networks of habitats and green infrastructure is needed. The NPPF states that water supply and quality is a cross-boundary issue and that there is a duty to cooperate.

### **Meeting the challenge of climate change, flooding and coastal change**

4.4 The NPPF advises the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, in line with the objectives of the Climate Change Act 2008. NPPF Paragraph 149 states "Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for



physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure”.

- 4.5 The NPPF provides advice in terms of flood risk. It states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, and the development is safe for its lifetime. In Flood Zone 1, a site-specific flood risk assessment should accompany all proposals involving sites of 1 hectare or more. Due to climate change, increases in flood risk need to be assessed to understand the long-term implications of flood risk. Paragraph 149 encourages infrastructure to be resilient.

*Conserving and enhancing the natural environment*

- 4.6 Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity value, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 4.7 Paragraph 172 considers great weight should be given to conserving and enhancing landscape and scenic beauty in for example, National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks.

*Conserving and enhancing the historic environment*

- 4.8 Paragraph 189 requires proposals affecting heritage assets to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 4.9 Paragraph 193 outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 4.10 Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II registered parks or gardens should be exceptional, assets of the highest significance including grade I and II\* registered parks should be wholly exceptional.
- 4.11 Paragraph 195 continues and states where a proposed development will lead to substantial harm to (or total loss of significance of) consent should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.

- 4.12 Paragraph 196 states that where a development proposal 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 including, where appropriate, securing its optimum viable use.

*Promoting healthy and safe communities*

- 4.13 Paragraph 91 supports the achievement of healthy, inclusive and safe places which enable and support healthy lifestyles, for example through the provision of safe and accessible green infrastructure and layouts that encourage walking and cycling.
- 4.14 Paragraph 92 supports the provision of recreational facilities and services the community that plan positively for the provision and use of shared spaces and community facilities to enhance the sustainability of communities and residential environments and that support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- 4.15 Paragraph 96 supports access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and paragraph 98 seeks to protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

**Draft National Policy Statement (NPS) for Water Resources**

- 4.16 The draft National Policy Statement for Water Resources Infrastructure (NPS) sets out the need and government's policies for the development of Nationally Significant Infrastructure Projects (NSIPs) relevant to water resources in England. It will help to ensure that where nationally significant water resources infrastructure is needed, it can be delivered in a timely manner to a high standard. Consultation on the draft National Policy Statement for Water Resources Infrastructure published by DEFRA commenced on 29 November 2018 and ended on 31 Jan 2019. Whilst the Scheme is not an NSIP, and therefore does not need to adhere explicitly to the NPS, it remains a material consideration.
- 4.17 Section 3 of the draft NPS sets out the general criteria for the assessment of NSIPs principles namely relating to the design, environmental, health, safety and security aspects of a scheme. Section 4 focuses on the potential construction and operational impacts of water resources infrastructure, the assessments that an applicant will need to carry out, and the specific planning requirements that the applicant will need to meet, in order to gain development consent. Of relevance to the Scheme, the following should be considered:
- Environmental net gain - Water resource infrastructure projects have the potential to deliver significant benefits and enhancements, resulting in environmental net gains.
  - Criteria for 'good design' for water resources infrastructure - good design is a key aspect of sustainable development, creates better places and helps make infrastructure projects acceptable to communities. Applicants should provide sufficient information in its application to demonstrate how the design process was conducted (including stakeholder engagement) and how the proposed design evolved.
  - Climate change adaption – regard should be had to the desirability of mitigating, and adapting to, climate change. New water resources infrastructure will typically be a long-term investment which will need to remain operational over many decades. Consequently, the applicant must consider the impacts of climate change at design, build and operational stages.
  - Health - The construction and use of water resources infrastructure has the potential to

affect people's health, wellbeing and quality of life. New or enhanced water resources infrastructure may also have indirect health impacts through improvements in access, opportunities for cycling and walking, or the use of open space for recreation and physical activity.

- 4.18 Paragraph 2.6.5 highlights that Reservoirs can have benefits other than helping to secure a more resilient water supply and protect the environment. They can enhance the environment and the wildlife that exist in it by providing new habitats and nesting and breeding grounds for birds. Recreational and wellbeing benefits can also be achieved and in some cases, they can also provide resilience to downstream flood events and can play a potential role in water trading by supporting water transfer schemes.

#### **Local Plans**

- 4.19 Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) require a local planning authority determining a planning application to do so in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.20 The Development Plan for Havant Borough consists of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Local Plan (Allocations Plan) and the Hampshire Minerals and Waste Plan. The Development Plan for East Hampshire District Council consists of the East Hampshire District Local Plan: Joint Core Strategy (2014) and the Hampshire Minerals and Waste Plan. The proposed development is supported in principle by the Development Plans.

#### **Site specific policies**

- 4.21 The reservoir and pipeline route are safeguarded in the adopted development plans by the following policies:

##### **Havant Borough Local Plan (Core Strategy) March 2011**

CS18 (Strategic Site Delivery) and  
CS19 (Effective Provision of Infrastructure)

##### **Havant Borough Local Plan (Allocations) July 2014**

AL6 (Havant Thicket Reservoir Pipeline Route)  
AL7 (Hermitage Stream)

Policy CS18 (HBC) outlines that Havant Thicket Reservoir is a Strategic Site. The Scheme is key infrastructure to ensure water supply in South Hampshire and will require a code of construction practice to mitigate its impacts as part of a formal planning application. The policy notes there is major leisure and recreation potential that will complement Staunton Country Park and have health and well-being benefits. The policy includes construction of a new junction on the B2149 to provide the main access and parking for 125 cars plus cycle and pedestrian paths and renewable energy infrastructure. The policies outline specific requirements as follows:

- a) The development must be sustainable, fully-maintained and cost-effective and deliver environmental and community benefits
- b) The use of the reservoir for recreation should complement existing provision in the borough and become an attraction for local communities
- c) The use of the water should be limited to supervised, water-based activities such as canoeing and kayaking
- d) The reservoir should provide additional leisure opportunities which complement existing provision in the borough and help attract more day visitors to Staunton

- Country Park
- e) Recreational provision should be appropriate to the countryside location and should not include any motorised activities
  - f) Green infrastructure links between the rest of Leigh Park and Dunsbury Hill Farm will be enhanced
  - g) Construction traffic should be minimised in Leigh Park, Rowlands Castle and other residential areas
  - h) Public vehicular traffic should be restricted within the site and confined to the vicinity of the main access
  - i) Vehicular access is expected from the B2149 outside the borough
  - j) Recreation provision should include a network of paths for walking, cycling and horse-riding and the potential for links with the Riders Lane and Hermitage Stream Corridors should be considered
  - k) Access and the surfacing of paths should take account of the needs of all
  - l) Natural and rural character should be conserved in particular by limiting impacts on biodiversity including the creation of additional habitats; compensating for the loss of, and effects on, sites of importance for nature conservation, the listed park and conservation area; enhancing adjacent sites of importance for nature conservation; ensuring that the pipeline avoids Great Copse, which should be protected during construction; integrating the reservoir and the new landscape with the historic landscape of the Sir George Staunton Conservation Area and existing woodland; minimising the loss of ancient woodland and trees
  - m) The potential impacts on the Langstone and Chichester Harbours as well as the Hermitage Stream should be minimised in terms of ecology, water quality and flow effects
  - n) Opportunities for biodiversity enhancements associated with the reservoir and the Hermitage Stream should be realised wherever possible
  - o) The risk of flooding during storm events should be fully assessed in a flood risk assessment and mitigation put in place to minimise all risks
  - p) The proposal should realise the potential for renewable energy dependent on nature conservation and other site constraints
  - q) Regeneration opportunities arising from the new pipe works between the reservoir and the water works must enhance the habitats, recreation opportunities and cycle and pedestrian accessibility along the stream corridors.

4.22 Policy AL6 (Havant Thicket Reservoir Pipeline Route) supports the inclusion of a new pipeline in association with the reservoir scheme. Policy AL7 (Hermitage Stream) is directly relevant to this application, and outlines that planning permission will be granted for development proposals that positively contribute to the improvement of the Hermitage Stream.

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

- CS1 (Health and Wellbeing)
- CS5 (Tourism)
- CS6 (Regeneration of the Borough)
- CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
- CS13 (Green Infrastructure)
- CS15 (Flood and Coastal Erosion)
- CS16 (High Quality Design)
- CS17 (Concentration and Distribution of Development within the Urban Areas)
- CS18 (Strategic Site Delivery)
- CS19 (Effective Provision of Infrastructure)
- CS20 (Transport and Access Strategy)

|      |                                                                         |
|------|-------------------------------------------------------------------------|
| DM8  | (Conservation, Protection and Enhancement of Existing Natural Features) |
| DM10 | (Pollution)                                                             |
| DM12 | (Mitigating the Impacts of Travel)                                      |
| DM14 | (Car and Cycle Parking on Development (excluding residential))          |

#### **Havant Borough Local Plan (Allocations) July 2014**

|      |                                                                  |
|------|------------------------------------------------------------------|
| AL1  | (Presumption in Favour of Sustainable Development)               |
| AL2  | (Urban Area Boundaries and Undeveloped Gaps between Settlements) |
| AL6  | (Havant Thicket Reservoir Pipeline)                              |
| AL7  | (Hermitage Stream)                                               |
| DM20 | (Historic Assets)                                                |

#### **Havant Borough Local Plan – submission version February 2021**

In 2019, the Council consulted on a Pre-Submission Local Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). However, there has been a near 18-month delay to submitting the Plan due to the need to respond to the Dutch Case and ensure that all new development can be nutrient neutral.

The Council subsequently consulted on the proposed changes to the Pre-Submission Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for public consultation between 3 November 2020 to 17 December 2020. The proposed changes include a strategic mitigation solution for addressing nutrient neutrality.

The Havant Borough Local Plan was submitted to the Secretary of State for Housing Communities and Local Government for examination on 12 February 2021. An inspector will now be appointed on behalf of the Secretary of State to undertake an examination of the plan.

Until that time, the emerging Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF. This confirms that weight may be given to policies in emerging plans depending on a number of factors. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the emerging Local Plan referenced below are currently afforded limited weight, dependent on the extent to which there are unresolved objections to relevant policies.

The relevant planning policies of the emerging Local Plan are:

KP9 – Havant Thicket Reservoir. This strategic site allocation is carried forward into Policy KP9 of the Local Plan, with associated developer requirements largely transposed from the adopted plan policy for this site, with a number of key additional/expanded developer requirements (emphasis added) as follows:

'j. Changes to the natural and rural character are mitigated in particular by:  
 ....i. Limiting impacts on biodiversity including the creation of additional habitats to ensure biodiversity net gain is secured....

....v. Minimising the loss of ancient woodland and trees and compensating for the loss of irreplaceable habitat within a costed management strategy;

vi. A comprehensive mitigation strategy is secured for impacts to protected and notable species, including appropriate mitigation measures for Bechstein's bats in line

with Policy E15.'

'm. Opportunities have been explored for the prior mitigation of minerals to the satisfaction of Hampshire County Council;

n. The potential impact of the development on the setting of the South Downs National Park has been assessed any necessary avoidance and mitigation measures are included in the scheme design.'

Other relevant policies:

DR1 – Delivery of Sustainable Development

DR2 - Regeneration

IN1 - Effective Provision of Infrastructure

IN2 – Improving Transport Infrastructure

IN3 – Transport and Parking in new development

IN5 – Future management and management plans

E1 – High Quality Design

E2 - Health and wellbeing

E3 – Landscape and settlement boundaries

E6 – Best and most versatile agricultural land

E9 - Provision of public open space in new development

E12 – Low Carbon Design

E13 – Historic Environment and heritage assets

E14 – The Local Ecological Network

E15 – Protected Species

E16 – Solent Special Protection Areas

EX1 – Water Quality impact on the Solent European sites

E17 – Solent wader and Brent Goose feeding and roosting sites

E18 – Trees, hedgerows and woodland

E19 – Managing flood risk in new development

E20 – Drainage infrastructure in new development

E22 – Amenity and pollution

Supplementary Planning Documents

The following Supplementary Planning Documents (SPDs) are also relevant:

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Listed Building Grade: Not applicable.

Conservation Area: Sir George Staunton and Grade II\* Registered Park and Garden (RPG) at Leigh Park (Staunton Country Park)

## **5 Statutory and Non Statutory Consultations**

### **Arboriculturalist**

The applicant is however ensuring that major mitigation planting will be achieved on site, if the planning application is accepted then it is vital that replanting and restocking on site are undertaken and that a full maintenance programme is set up and actioned

### **Building Control, Havant Borough Council**

This work appears to be exempt from Building Control involvement, therefore no comment

### **Chichester Harbour Conservancy, The Harbour Office**

No response received

**Community Infrastructure, Planning Policy & Urban Design**  
Community Infrastructure Levy is not applicable for this proposal.

**Conservation Officer**  
No Objection

**Councillor Beryl Francis**  
No response received

**Councillor D Guest**  
No response received

**Councillor Gary Robinson**  
No response received

**Councillor J Branson**  
No response received

**Councillor Jo Lowe**  
No response received

**Councillor John Davis**  
No response received

**Councillor Kenneth Smith**  
No response received

**Councillor Malc Carpenter**  
No response received

**Councillor Mark Inkster**  
No response received

**Councillor Pamela Crellin**  
No response received

**Councillor T Pike**  
No response received

**Councillor Yvonne Weeks**  
No response received

**Countryside Access Team, HCC, Countryside Access Team, Countryside Service**  
No Objection subject to condition:

Site Context:

The pipeline crosses Havant Footpaths 506a which runs west from Ellisfield Road, Havant Footpath 33 which runs north from Barncroft Way, Havant Footpaths 507 and 41b connect Fraser Road and North Steet by Bidbury Junior School. The pipeline also runs through Staunton County Park (Hampshire County Council Countryside Service Site), High Lawn Site of Importance for Nature Conservation (SINC) and Thicket Lawn SINC.

The pipeline will require works to the surface of a number of public footpaths and permissive paths within Staunton Country Park. Any works to the surface of the public Right of Way will be required to be restored to the satisfaction of the Countryside Area Access Manager. There is likely to be an effect on the footpath in terms of dust, noise, or other obstruction during the period of the works and there could be a risk to users of the footpaths.

The applicant should contact Hampshire Countryside Service directly to discuss the Temporary Closure of the footpaths. Temporary Closure Orders should be applied for at least 6 weeks prior to the commencement of works.

The applicant is also reminded that the granting of a planning permission is separate from any consents that may be required in relation to access and rights of way and that nothing should be done to stop up or divert the public right of way without following the due legal process.

The Environmental Statement 13.71 states that a full construction methodology will be the subject of on-going discussion with the relevant authorities including Hampshire County Council and Highways England and will be agreed through the appointed contractor's detailed Construction Management Plan (CMP). The CMP will need to include full details of material and spoil storage and vehicle parking. The County Council Countryside Service request that it is formally included in these discussions via the wording of the planning condition.

**County Archaeologist, Strategic Environmental Delivery Group, HCC**

The archaeological watching brief that is proposed will be set out within the Archaeological Management Plan (AMP) and secured therefore by archaeological condition attached to the planning permission. I am happy to endorse the principle of an AMP to describe appropriate archaeological monitoring of the pipeline construction and to secure the protection of Chad's Well by fencing and boring.

**County Ecologist – Full response in appendix A – 1.1**

No Objection subject to conditions and legal agreement:

Additional information is provided within the Habitats Regulations Assessment completed by Havant Borough Council and East Hampshire District Council.

In summary, I am now confident that my previous queries have been addressed satisfactorily and that there is sufficient reassurance that proposed mitigation, compensation and enhancement measures can be delivered.

**County Planning, Economy, Transport & Environment Department**

No response received

**County Waste Management**

No response received

**Highways England**

No Objection subject to condition:

We request that construction trips are, where practicable, minimised during the weekday peak periods to reduce their impact on the Strategic Road Network and its



junction. Careful consideration should also be given the construction phasing of the pipeline, including any required road closures, to ensure that it does not add to any construction impacts from other developments or schemes in vicinity of the proposed pipeline, such as for example the proposed AQUIND Interconnector scheme that is currently progressing through its DCO examination. Therefore, we propose a Construction Traffic Management Plan be conditioned.

### **Southern Water**

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

### **Environment Agency - Full response in appendix A – 1.2**

No objection subject to condition and obligations in a legal agreement (response summarised):

In the absence of suitable mitigation measure the development would have an impact in terms of flooding and loss of biodiversity. However, the proposed mitigation plans, which includes both on-site and off-site ecological improvements to waterbodies addition, are considered to provide an appropriate balance of measures to satisfy both the Article 4.7 requirements and also Biodiversity Net Gain commitments. In terms of flood risk the detailed flood risk assessment, including emergency drawdown strategy, have been considered acceptable.

### **Environmental Health Manager, Community Group**

Documents submitted against this application generally concern both the Reservoir (APP/20/00990 1) & 2)) and the Water Transfer Pipeline (APP/20/00991). I have reviewed these applications concurrently, and respond here with specific comments relating to construction works for all of the applications but with special concern relating to the pipeline construction works as in the Outline application for the Water Transfer Pipeline. I have no adverse comments to make with respect to the Reservoir operation.

#### **Observations / Comments:**

I continue to have some concerns with respect to the noise and vibration assessment conclusions with respect to noise from pipeline construction because they rely on a number of assumptions. In order to provide greater certainty regarding predicted noise and vibration impacts for all the applications I would like to recommend the following conditions be applied to any consents granted :

The applicant commits to the following which I would like to require as conditions :

Condition 1 “A noise and vibration management plan, including a targeted scheme wide construction noise and vibration monitoring and reporting programme, to be submitted by the appointed contractors, to the Local Planning Authority for approval prior to the commencement of construction works on any approved phase “

#### **Reason**

To ensure that construction noise and vibration is managed effectively so that levels do not regularly exceed the threshold for significant impacts.

Also I note that the applicant commits to the following :

The Potential impacts section (paragraphs 12.65 to 12.111) notes that there are

potentially significant impacts where night time works are required. For the reservoir site, if night time working is required, these impacts will be mitigated using acoustic screens in some locations. 12.124. The locations where it is unlikely to be able to fully mitigate night time working impacts are at receptors along Swanmore Road, Havant. As impacts from night time works cannot be fully mitigated in this area, night time earthworks will be avoided around the south west side of the site.

I would like to recommend a suite relevant conditions to control these impacts. Given that this application is for outline consent, it may be more appropriate to secure the CEMP as a reserved matter. Environmental Health has no preference – the aim is to ensure that the proposed mitigation measures are secured and are made enforceable matters.

**Forestry Commission, Planning Consultations - South East & London**

No response received

**Hampshire Constabulary**

No response received

**Hampshire County Council, Property Management, Property Records, Business Information Team**

No response received

**Hampshire Fire and Rescue Service**

Outline that the development would need to comply with Building Regulations, if applicable.

**Langstone Harbour Board**

No objection

**Havant Borough Council Regeneration**

Support

**Hampshire Highways - Full response in appendix A – 1.3**

Original response

Summary

Additional information is sought from the applicant on both matters relating to the construction and operational phases before the impacts of the development can be fully understood and appropriate measures can be agreed with the applicant to minimise the impacts of the construction phase and ensure appropriate access, integration and operation of the site in the operational phase.

Response to further information

No objection subject to conditions and obligations.

The further information submitted by the applicant has considered and responded to the original concerns raised by the Highway Authority. The development subject to the conditions and obligations would not have a significant adverse impact on the safety and free flow of the highway network. In addition, the proposal would make adequate provision and mitigation towards enhancements to pedestrian and cycle provision in the wider area.

**Historic England, South East**

On the basis of the information available to date, we do not wish to offer any

comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

**Landscape Team, Havant Borough Council**

No objection subject to condition

We have concerns with the loss of trees and vegetation and the potential impact on the landscape character as a result of this application. We require greater clarity on any potential planting easement zone for the pipeline and what impacts this could have on existing mature trees. For example tree G807D is a large Oak with a high water demand and falls in close proximity to the pipe line. Will a standard 3.0 easement area be applied and if so will there be a subsequent impact on existing trees? The reduction in tree numbers could be detrimental to the existing green infrastructure and landscape character and we would look to seek replacement trees to mitigate against any loss.

**Local Lead Flood Authority HCC, Hampshire County Council**

No objection subject to conditions:

The submitted model result maps within the Flood Risk Assessment show the flood depths and extents of the existing baseline conditions, and for the expected operational and emergency situations including the breach scenario. Therefore, the Environment Agency (EA) should be consulted considering that they are responsible for the flood risk management associated with artificial sources.

The applicant has not submitted any information on how surface water runoff from the infrastructure that supports the new reservoir (access roads, new car park, visitor centre, etc) will be managed. Bearing in mind that this is an outline planning application, at this stage we would expect an outline drainage strategy which includes sufficient information to cover each points of our surface water checklist. Additionally, the applicant should submit a Construction Environmental Management Plan (CEMP) to show how surface water will be managed during construction phase of both planning applications.

Nevertheless, considering that this is an Outline Planning Application and the nature of the development, the County Council is content that these matters can be addressed through the use of suitable worded planning conditions

**Natural England**

It is noted that further detailed design will be undertaken in relation to the pipeline route. A number of SINC's will potentially be affected during construction. All development proposals should follow the mitigation hierarchy to avoid impacts in the first instance, then ensure impacts are adequately mitigated for or, as a last resort, compensation should be considered. Natural England recommends that the detailed design is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by your retained ecologist.

Given that there is a risk that even with mitigation and restoration works, potential impacts to habitats within the SINC's may not be fully addressed following construction. We recommend that the applicant ensures that the biodiversity value of the SINC's are enhanced following the project through supporting habitat improvement projects at the SINC, or associated funds for improved management in consultation with the County Ecologist.

Further details on these mitigation and compensation measures are requested to ensure the impacts from the pipeline route have been appropriately addressed.

### Nitrogen neutrality

It is noted that Portsmouth Water has undertaken a separate report to examine whether the reservoir will deliver a nitrogen reduction to the Chichester and Langstone Harbours Special Protection Area and Ramsar site and the Solent Maritime Special Area of Conservation. Natural England agrees with the principle of this nitrogen reduction proposal. It is understood that Portsmouth Water has commissioned consultants to peer review the assessment. Natural England's specialists will also review the reports in due course and provide further advice on nitrogen credit capacity in due course.

### **Network Rail**

Due to the nature of the works (i.e. digging under the railway) the applicant will be required to contact Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionWessex@networkrail.co.uk. Our Asset Protection will ensure that the proposed development can be completed without any risk to the operational railway. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.

The applicant will be required to:

- Adopt ASPRO guidance and requirements and a list of NR deliverables that will be provided to the developer in kick-off meeting;
- Confirm if any covenants are applied to the land and if so comply with them
- Submit for ASPRO acceptance design-if needed, risk assessment & method statement (RAMS) for any work -within Network (NR) zone of influence such as, but not limited to:
- Ground Investigation Report
- Detailed ground investigation to be carried out which should include the risk of ground stability of NR ground movement
- Track monitoring plan

As well as contacting Network Rail's ASPRO Team, the applicant / developer must also follow the attached Asset Protection informatives (compliance with the informatives does not remove the need to contact ASPRO).

As the proposed works include the construction of a new pipeline under the railway, the applicant will be required to gain an easement.

The depth of the pipe may have to be increased to accommodate existing NR apparatus requirements.

Proposer to apply for buried services report prior to any works on site.

### **Open Space Society**

No response received

### **Planning Casework Unit**

No response received

### **Planning Policy**

#### The pipeline route

ALP Policy AL6 and emerging HBLP Policy KP9 do not specifically refer to this element of the development, but generally seek to safeguard the pipeline route's buffer zone so as not to prejudice its delivery.

### Summary

The application proposals are supported in policy terms, subject to relevant environmental considerations (as set out above) being appropriately addressed. In addition, it will also be of importance to ensure that the scheme delivers appropriate community benefits which mitigate the loss of the recreation opportunities currently offered by the site.

### **Portsmouth Water Company**

No response received

### **Public Health Team, Hampshire County Council**

No response received

### **Ramblers Association, South East Hants Group**

The Ramblers Association recognizes the disruption inevitably to be caused with the construction of the pipeline serving the Havant Thicket Reservoir. However, while the accompanying document (Environmental Statement Volume 2 - Main Report Chapters 11 and 13) refers to the need to divert a PRow in the proximity of the reservoir, the PRow affected by the pipeline are not considered.

For the pipeline, the focus of the application is on the impact on the roads directly affected and the need for road closures as construction proceeds. But a number of footpaths will be affected directly also - FP 41b, FP 507, FP 33, FP 505 and FP 506a - either by the pipeline construction itself or associated culvert improvement work. Specifically: FP 41b will need to be temporarily closed since it leads off North Street; FP 33 is crossed by the pipeline opposite Hooks Farm Way; FP 505 is affected by the culvert improvement work; and 506a is affected by the culvert improvement work at Eversley Crescent and the pipeline crossing it at Highclere Avenue.

It is also noted that Engineering and Design report (page 52 paragraph 3.1.34) suggests that an alternative route for the pipeline could be the 'other side of the stream to avoid the pinch points altogether. FP 506b is on the east side of Hermitage Stream. Therefore, taking such action as suggested needs to be avoided.

Where a temporary closure of a PRow or other walking route is required, this must be for as short a period of time as possible. Also, a temporary diversion must be provided that minimizes the extra distance that pedestrians need to walk and ensures that traffic and pedestrian segregation is maintained. It is assumed that, once completed, the sites will be restored to a standard that allows the footpath to be reinstated and used as before the works started.

### **South Eastern Hampshire Clinical Commissioning Group**

No response received

### **South Downs National Park Authority**

Comments received relate solely to the reservoir application, and are outlined in that report

### **Southern Electric**

No response received

### **Southern Gas Network**

No response received

### **Sport England, The Planning Administration Team, Sport Park**

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit therefore Sport England has not provided a detailed response in this case

**The Gardens Trust**

No response received

**Traffic Management, East Hampshire District Council**

The Traffic Team have no adverse comment to make.

## **6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications, as a result of which the following publicity was undertaken both at the time of the original submission and following the receipt of amendments:

Number of neighbour notification letters sent: 745

Number of site notices: 15.

Statutory advertisement: 20/11/2020

Number of representations received: 11

Comprising 9 objections, 2 in support and 1 neutral comment on the scheme

**Summary of issues raised by objection letters:**

- Disruption to areas of Leigh Park, during the construction of the pipeline
- The proposal will adversely impact on the foundation of garages in Chadswell Meadow. **Officer Comment:** This is a civil matter and not a material planning Consideration.
- Laying the pipeline will involve more destruction of wildlife habitat and removal of trees and cause disruption to residents of Leigh Park as the plans involve it being laid through busy roads in the town.
- The proposal will create a flood risk
- It will harm the environment and decimate the green spaces adjacent to Hermitage Stream and the fields close to the proposed reservoir site.

**Summary of issues raised by support letters:**

- Fully support the proposal for a reservoir on the Portsmouth Water land at Havant Thicket. I would encourage the LPA to support the application as a sustainable way of addressing water resource shortfalls in the area.

## **7 Planning Considerations**

### **Appropriate Assessment**

- 7.1 The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development, for both planning applications, under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (hereafter referred to as the Habitats Regulations). The application is accompanied by a suite of ecological reports comprising the following:
- Habitats Regulations Assessment (Atkins/Portsmouth Water, September 2020)

- Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021).
  - Havant Thicket Reservoir Project – Environmental Statement Volume 4 – Appendix A15, Water Framework Directive Assessment.
  - Outline Biodiversity Mitigation and Enhancement Strategy (ECOSA, September 2020).
  - Technical Note – Article 4.7 WFD Short-listing methodology (Atkins, March 2021).
  - Letter to Portsmouth Water - Havant Thicket Winter Storage Reservoir – Water Framework Directive (WFD) Article 4.7 (Environment Agency, 18 February 2021).
- 7.2 The Council's assessment as competent Authority under the Habitats Regulations is included in the case file. The screening under Regulation 63(1)(a) considered whether there was likely to be a significant effect on several European Sites due to habitat loss and water quality impacts. The planning application was then subject to Appropriate Assessment under Regulation 63.
- 7.3 Chapter 9 of the submitted Habitats Regulation Assessment includes details of mitigating measures designed to address the potential impacts identified during the screening assessment. These measures are summarised below:
- Habitat loss  
SPA/Ramsar supporting habitat.
- 7.4 There is potential for construction-related noise to result in functional habitat loss at two Solent Wader & Brent Goose Strategy (SWBGS) sites in proximity to the Bedhampton & Havant Springs pumping station. These sites are within c.300m of the pumping station.
- 7.5 Proposed construction at the pumping station has potential to result in novel noise levels of c.87 decibels (dB) at a distance of 10m from the noise source. Given the distance between the noise source, and the presence of dense residential and commercial development and road and rail infrastructure between the application site and SWBGS sites, it is considered highly unlikely that construction noise disturbance would occur.
- Singleton & Cocking Tunnels Special Area of Conservation (SAC) supporting habitat.
- 7.6 The reservoir proposal would result in the loss of substantial areas of suitable Bechstein's and Western barbastelle bat habitat. This can be summarised as:
- c.13 Ha of semi-natural woodland to be removed.
  - c.18 mature veteran trees to be removed.
  - c. 29 scattered broadleaved trees to be removed.
  - At least four Bechstein's bat tree day roosts and one night roost removed.
  - c.139 Ha of grassland removed.
  - Impacts to c.3.7km of ephemeral stream habitat.
- 7.7 The proposals would therefore result in the permanent loss of Bechstein's bat roosting sites and extensive areas of habitat used for foraging, commuting and other behaviours. These impacts are considered to affect supporting habitat for the Singleton & Cocking Tunnels SAC.
- Proposed mitigation, compensation, and enhancement
- 7.8 A number of measures are proposed for mitigating the identified impacts to bat habitat. These are summarised below:
- Obtain European Protected Species mitigation licence from Natural England.

- Timing of tree removal works to avoid periods of highest sensitivity.
- Supervised tree removal by licensed ecologist.
- Protection of retained habitat during construction.
- Updating bat surveys during 2021 in advance of any works.

7.9 The mitigation measures listed above are considered acceptable and would ensure that all activities are carried out under Natural England licence.

7.10 In order to compensate for the extensive loss of bat habitat and broad package of on-site and off-site habitat enhancement and creation measures are proposed. These are summarised as follows:

- On-site woodland enhancements within Havant Thicket (Forestry England (FE) owned),
- Bell's Copse (FE owned) and Staunton Country Park (Hampshire County Council owned).
- Off-site woodland and grassland enhancements within land north of Havant Thicket (East Hampshire District Council owned), Southleigh Forest (Portsmouth Water owned) and the Stansted Estate.
- Enhancements to watercourses in proximity to the proposed pipeline route.
- Capital Grants Scheme funded by PW to deliver off-site ecological enhancement projects, prioritising local initiatives to restore, create or enhance habitat connectivity in accordance with local planning policy priorities.

7.11 Between them these on-site and off-site measures aim to provide:

- New woodland linkages at Gipsies Plain and Deerslaughter Plain.
- Creation of 60 Ha of pasture woodland and 20 Ha of neutral grassland.
- 72 Ha of woodland enhancement within Southleigh Forest.
- Roosting habitat for Bechstein's bats, with measures to be agreed.
- 5.5km of watercourse enhancement.
- £40,000 per annum for 30 years from 2029 towards Capital Grants Scheme.

7.12 Whilst acknowledging the extensive impacts arising from the proposals, it is considered that the above mitigation, compensation and enhancement measures provide for a substantial package of works that would provide a long-term benefit at the landscape scale for bat species associated with the Singleton & Cocking Tunnels SAC. Targeted woodland and grassland creation and enhancement works would improve the condition of habitat for bat species across a large area of the landscape. Combined with the Capital Grants Scheme focussing on enhancing the local landscape in terms of habitat connectivity.

#### Delivery mechanism

7.13 Details of the delivery mechanism for the overall mitigation package have been provided through the submission of an Implementation Plan (Atkins, April 2021). This provides details of:

- Memorandum of Understanding signed between Portsmouth Water, Forestry England and Hampshire County Council.
- Outline Biodiversity and Compensation Strategy submitted with current application to form basis for future submissions.
- Detailed Biodiversity Mitigation and Compensation Strategy submitted for each phase of works and to be agreed by the LPA and other key consultees.
- Ecological Mitigation and Management Plan for all pipeline works, submitted as part of



detailed design and subject to agreement from key consultees.

- Full details of Capital Grants Scheme to be provided alongside detailed submissions and agreed by key consultees.
- All agreed measures to be subject to Section 106 agreement – ensuring that measures are enforceable and that monitoring systems (to agreed indicators) are included.

- 7.14 The Implementation Plan includes four Action Plans for the main elements of the overall mitigation package: Woodland Creation, Southleigh Forest, Ephemeral Streams, and Capital Grants Scheme. The Action Plans contain further details of the proposed location, baseline conditions, roles and responsibilities, site planning/preparation, delivery, and monitoring.
- 7.15 It is the view of Havant Borough Council and East Hampshire District Council that the submitted Implementation Plan provides for an appropriate mechanism for the delivery of an overall package of ecological mitigation, compensation and enhancement measures. The Implementation Plan and its four Action Plans provide a sufficient level of detail appropriate to the hybrid status of the applications.
- 7.16 It is acknowledged that further details of off-site compensatory measures would be provided at agreed stages. This is a logical approach and recognises the complex nature of the proposed development and the need for further investigations on the precise location and nature of mitigation.

#### Summary

- 7.17 It is concluded that the identified impacts from habitat loss on the Singleton & Cocking Tunnels SAC can be effectively compensated through the comprehensive package of mitigation, compensation and enhancement measures as detailed within the Outline Biodiversity and Compensation Strategy and Implementation Plan. These outline measures would form the basis of a detailed Section 106 agreement, enabling the Local Planning Authorities to have reassurance that all measures would be delivered and compliance monitored.

#### Local Plan Policy

- 7.18 The proposed developments are addressed through specific local plan policy.

Policy KP9 of the Submission Havant Borough Local Plan and Policy CP26 of East Hampshire District Local Plan: Joint Core Strategy (2014) details the conditions of any planning permission for the Havant Thicket reservoir. Planning permission would be granted where:

- j. Changes to the natural and rural character are mitigated in particular by:
- i. Limiting impacts on biodiversity including the creation of additional habitats to ensure biodiversity net gain is secured;
  - ii. Avoiding, mitigating and then compensating for the loss of, and effects on, Sites of Importance for Nature Conservation (SINCs);
  - iii. Ensuring that the pipeline has no significant impact on Great Copse, protecting it during construction;
  - iv. Integrating the reservoir into the existing landscape of the area;
  - v. Minimising the loss of ancient woodland and trees and compensating for the loss of irreplaceable habitat within a costed management strategy;
  - vi. A comprehensive mitigation strategy is secured for impacts to protected and notable species, including appropriate mitigation measures for Bechstein's bats in line with Policy E15.
- k. The potential impacts on the Langstone and Chichester Harbours as well as the

Hermitage Stream have been assessed under the appropriate regulations and any necessary avoidance and mitigation measures included in the scheme design;

I. Opportunities for biodiversity enhancements associated with the reservoir and the Hermitage Stream are realised wherever possible;

- 7.19 East Hampshire District Council Policies in the East Hampshire Joint Core Strategy (2014) Policies CP20 (Landscape), CP21 (Biodiversity) and CP28 (Green Infrastructure) and the Havant Borough Local Plan policies E14 The Local Ecological Network, E15 Protected Species, EX1 Water Quality impact on the Solent European Sites, and E17 Solent Wader and Brent Goose feeding and roosting sites also provide details of the expectations for planning submissions. These policies provide a policy framework that ensures that planning permission would only be granted subject to specific conditions being met.

#### Water Quality

- 7.20 There is potential for proposed development to result in water quality impacts affecting the following European sites:

- Chichester & Langstone Harbours Special Protection Area (SPA).
- Chichester & Langstone Harbours Ramsar site.
- Solent & Dorset Coasts SPA.
- Solent Maritime Special Area of Conservation (SAC).

- 7.21 The proposed development would result in the loss and modification of watercourses that are hydrologically linked to Langstone Harbour and the above European sites.

#### Proposed mitigation, compensation, and enhancement

- 7.22 A number of measures are proposed for mitigating the identified impacts to these European sites. These are summarised below:

- Environment Agency (EA) consents would be obtained for the discharge of water from the development site. This would control the discharge of silt within surface or accumulated water during construction.
- Use of standard construction methods to control silt e.g. CIRIA guidelines.
- Construction Environment Management Plan (CEMP) would be produced.
- Drainage Management Plan (DMP) would be produced.
- EA licences for the outflow of water from the reservoir in order to maintain flows in local watercourses.
- Filtration (of silt, nitrates and phosphorous) via the created wetland habitat at the northern edge of the proposed reservoir.
- Compressed air mixing of water within reservoir control house to prevent phosphorous concentrations within reservoir.
- Decrease in nitrate loading to linked watercourses due to use of water from Bedhampton & Havant Springs.

- 7.23 These measures would ensure that surface and accumulated water leaving the site during construction and operation would be subject to EA permit and that no such activities could occur until such permits are in place. The use of standard pollution prevention guidance, the CEMP and the DMP would be secured through planning condition and subject to enforcement as necessary.

- 7.24 In addition, the applicant (Portsmouth Water) has undertaken an assessment in accordance with Article 4.7 of the Water Framework Directive (WFD). The

Environment Agency (EA) has provided detailed response, following consultation, to the submitted Article 4.7 WFD assessment. In summary, the WFD assessment includes details of:

- Long list of potential watercourse mitigation and compensation measures.
- Agreed short list of watercourse mitigation and compensation measures.
- Three mitigation and compensation packages.
- Confirmation that Package 2 was chosen as the most suitable option, delivering 5.5km of mitigation and compensation to local watercourses.

7.25 The EA have subsequently provided a detailed commentary on the Article 4.7 WFD assessment (EA, letter dated 30 March 2021). In summary, the EA state that they are content with Package 2 and recommend that this is secured by legal agreement. The mechanism for this would be via Section 106 agreement.

7.26 Whilst not linked to HRA, the parallel WFD assessment and subsequent EA comments provide an additional level of reassurance that there is an agreed package of measures that would provide appropriate mitigation, compensation and enhancement for ephemeral watercourses. The measures would ensure that the works would not result in degradation of the quality of freshwater inputs into Langstone Harbour.

#### **Appropriate Assessment conclusion**

7.27 The Appropriate Assessment concluded that the avoidance and mitigation packages proposed are sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3). The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.

7.28 In other respects, and 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, including need and proposed location
- (ii) Impact upon the character and appearance of the landscape
- (iii) Impact of the development on ecology
- (iv) Impact of the development on the local and strategic highway network
- (v) Impact on flood risk, hydrology and hydro-geology
- (vi) Impact on residential amenity (noise and vibration, air quality)
- (vii) Other Environmental Impacts, Geology, Soils, Contamination and minerals
- (viii) Impact on climate change and sustainable design
- (ix) Contribution requirements and legal agreement

#### **(i) Principle of development**

7.29 The reservoir and pipeline route are safeguarded in the adopted local plan through HBC Policy CS18, CS19 and AL6, and in the emerging Local Plan through HBC Policy KP9 Policy S31. Policy CS18 - Strategic Site Delivery identifies Havant Thicket Reservoir as a Strategic Site. The Scheme would ensure water supply in South Hampshire and therefore embedded in local policy as strategic infrastructure required for the plan period. As such, the principle of a new reservoir at Havant Thicket and a pipeline route from the reservoir to Bedhampton Springs has been established and accepted, subject to certain requirements. Further detailed reasoning and justification for the location of the reservoir are provided within the linked planning application APP/20/00990.

Pipeline route optioneering

- 7.30 During the 2008 consultation, and subsequent Stakeholder Group meetings undertaken by Portsmouth Water there was support for a pipeline route that followed the Riders Lane and Hermitage Stream corridors. As such since then Portsmouth Water has been looking in more detail at how to build along this route and the disruption that might be caused during construction. In addition, the opportunity was also taken to consider new construction techniques that were not in common use in 2008.
- 7.31 The optioneering included different routes and construction techniques and carefully considering each one in relation to:
- The engineering and how difficult it would be to build;
  - Disruption to the local community and traffic;
  - The health, safety and wellbeing of people;
  - Building the pipeline and maintaining it in the future;
  - Environmental effects and sustainability; and
  - Overall cost.
- 7.32 The proposed route has sought to minimise the impact on communities and avoid environmentally sensitive areas, notably Great Copse (north of High Lawn Way), which is a Site of Nature Conservation Importance and an area of Ancient woodland.
- 7.33 Most of the pipe would be installed using an 'open cut' method, digging down from the road or land, laying the pipe and then filling in the ground above it. Some places would involve tunnelling underground using a 'pipejacking' method to push the pipe into place underground from one open- cut hole, for example, under the railway line. Where the Riders Lane and Hermitage Streams are crossed, the opportunity has been taken to improve these watercourses. The improvements are as follows:
- 250m compensation flow channel - This is a new channel that would connect the reservoir to Riders Lane Stream downstream. The existing channel would be filled in under the embankment footprint but, where feasible, the remainder of the channel upstream of the confluence of the compensation channel and Riders Lane Stream would be left as a backwater to improve habitat value;
  - opportunity to improve around 20m of channel around these crossing points in terms of biodiversity enhancements;
  - improvements to culverts for passage should they need upgrading; should any of the culverts on Riders Lane Stream need upgrading to account for any discharges then the opportunity to enhance them for fish passage;
  - mitigation of habitat around opening outfall from emergency discharge;
  - there would be an outfall from the emergency discharge into the main Hermitage Stream.
- When this work is undertaken there would be an opportunity to ensure that the habitat around the opening is maximised and this would be taken forward as part of the detailed design.
- 7.34 In conclusion, on the principle of development, it is considered that there is an overriding public need for the scheme and a lack of suitable alternative sites. The majority of the South East is classed as 'seriously water-stressed' with Portsmouth Water currently sharing supplies with Southern Water in West Sussex and Hampshire of up to 30 million litres of water each day. Southern Water supplies water to an area that is officially identified as an area of significant population and economic growth. Following the restriction imposed by the Environment Agency on abstraction from the

internationally designated River Itchen and nationally designated River Test options for making up the subsequent water resources deficit were considered by the WRSE group. In addition, Portsmouth Water have outlined that they would utilise supplies from the reservoir, to have a secure water supply, particularly in the peak summer period. The pipeline is an integral part of the reservoir works and is, therefore, necessary to meet the overriding public need for the scheme.

**(ii) Impact upon the character and appearance of the landscape**

- 7.35 The chosen route for the pipeline corridor utilises existing road corridors where possible, allowing the pipeline to be laid within existing highway carriageway, avoiding impact to soft landscape areas and street trees. Using this approach as much as possible, would ensure effects on landscape character and visual amenity are limited to the construction period. Once the hard surfacing is reinstated, no further mitigation is required, and the effect would be neutral at the completion stage.
- 7.36 Where the pipeline corridor must run through soft landscape areas, such as public open space, a route has been chosen to minimise impact to existing trees and vegetation wherever possible. This includes following routes of existing pathways or open areas of grassland as much as possible, therefore reducing the amount of existing vegetation that would need to be cleared for excavation. In this way effects post construction can be reduced, without the need to wait for replacement mitigation planting to establish.
- 7.37 The proposal does include a discharge structure, at the point where the pipeline first meets the Hermitage Stream, which is to the west of Ewhurst Close. As this application is outline in nature, the full details of this structure would be considered in a Reserved Matters application. However, broad parameters have been provided, which outlines that the maximum envelope for the above ground kiosk (associated with discharge structure) would be: H3m x W6.5m x L10.5m is the size of above ground kiosk at Hermitage Stream (excluding slab H0.5m x W6.5m x L11.6m). The overall height: 3.5m above ground level. Given its sensitive location within the open space, the visual impact and an associated mitigation measures comprising landscaping and built form would be considered in detail at the Reserved Matters stage.
- 7.38 The Record of Environmental Actions and Commitments (REAC) as part of the Outline Environmental Management Plan (OEMP) in Appendix A2.1 in ES Volume 4 includes measures to help mitigate local impacts and effects during construction. This sets out a number of areas of mitigation, which are as follows:

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | During construction, an environmental clerk of works (ECoW) would monitor compliance with all environmental management requirements, plans and restoration procedures including requirements relating to the landscape and visual environment. This would include monitoring the implementation of committed mitigation measures as set out in the ES and REAC as part of the OEMP.                                                                                                                                                                                                                 |
| 2. | Where the pipeline corridor crosses an existing hedge, area of scrub or tree belt, existing gaps would be used where possible so that vegetation removal is minimised. No unnecessary tree or shrub removal would be undertaken, and vegetation which is to be removed would be marked and agreed on site with the ECoW prior to any felling. Where removal of sections of scrub, hedgerows and trees are unavoidable, appropriate species would be replanted along the line of the existing hedge or within the area of scrub, and managed so as to restore the existing hedgerow or area of scrub |

|    |                                                                                                                                                                                                                                                                       |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. | Operations would be designed so that progressive restoration of finished areas can occur where appropriate, and so that stored topsoil can be replaced on graded areas as these are finished;                                                                         |
| 4. | Topsoil and subsoil would be replaced (using existing topsoil and subsoil removed and stored during excavation) and evenly spread. Areas of disturbed earth would be re-graded to blend with the surrounding landform, cultivated and seeded or replanted; and        |
| 5. | A restoration plan would form part of the REAC as part of the OEMP in Appendix A2.1 in ES Volume 4 described above. It would be implemented to restore landscape earthworks, soils and surface vegetation including alongside tracks and along the pipeline corridor. |

- 7.39 During construction of the pipeline, there would be disturbance to the local landscape arising from construction activity along the pipeline corridor, resulting in some adverse effects to landscape and visual receptors, none of which, however, are considered significant in EIA terms. These would be localised and temporary or short to medium-term, occurring during construction works, and for a short period post construction, whilst the disturbed land is returned to its original condition, and replacement vegetation which is planted post-construction becomes established. Once the proposed mitigation measures mature, this would reduce the initial adverse effects to Neutral.
- 7.40 Overall, no significant long-term effects are considered likely to the landscape character or to views and visual amenity. This is due to the nature of the pipeline being located below ground, meaning that once the works are complete any effect remaining short to medium term would be due to vegetation removal and excavation works. Further conditions are proposed that in the subsequent Reserved Matters application, additional detailed Arboricultural information would be provided once the route of the pipeline has been fixed. This would include details in relation to demolition, design, and construction. Tree survey data should be provided including the trees growing on highway land. Tree constraint plans should be provided showing how trees have been considered in all design proposals to minimise the impact on important trees. Furthermore, tree protection plans would be provided to demonstrate how they would be safeguarded through the proposal and construction phase. All areas of vegetation would be mitigated by reinstatement, including planting and seeding, which once established in the medium term would neutralise any effects on the landscape post construction.

**(iii) Impact of the development on ecology**

- 7.41 The application is accompanied by detailed ecological information, which comprises Environmental Statement Chapter 2 Biodiversity (Atkins/Portsmouth Water, September 2020) and each of the habitat and species-specific technical reports with supporting appendices (ECOSA, various dates). Together with the Outline Biodiversity Mitigation and Compensation Strategy and the Habitats Regulations Assessment. Further details have been provided for proposed off-site mitigation, compensation and enhancement measures. These details are contained within the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021) as well as the Technical Note – Article 4.7 WFD Short-listing methodology (Atkins, March 2021) and accompanying letter to Portsmouth Water - Havant Thicket Winter Storage Reservoir – Water Framework Directive (WFD) Article 4.7 (Environment Agency, 18 February 2021).
- 7.42 Detailed ecological assessments at the site have taken place over a considerable period of time. The scope, scale and standard of ecological assessments are considered appropriate in assessing the ecological baseline over many years using

expert technical advice. The robust baseline allows a greater level of certainty with respect to predicted impacts and is used to shape the overall ecological mitigation, compensation and enhancement package. The application has been further supported by an Implementation Plan, which has been produced following comments from the Ecologist consultant, Natural England and the Environment Agency.

- 7.43 As the pipeline is underground, the main impacts of the development would arise during the construction period. The site would run closely to High Lawns Site of Importance Nature Conservation (SINC), amongst other. All development proposals should follow the mitigation hierarchy to avoid impacts in the first instance, then ensure impacts are adequately mitigated for or, as a last resort, compensation should be considered. As this is an outline application, with the exact route, within the red-edge, would be confirmed at Reserved Matters stage.
- 7.44 The proposed outline mitigation and compensation strategy relies of several strands: the removal of certain protected/notable species from within the construction footprint; the use of habitat manipulation techniques to render habitat less suitable prior to construction; a commitment to long-term habitat management works in surrounding land; the use of artificial nesting and roost boxes; a commitment to substantial new grassland and pasture-woodland habitats off-site; the creation of new habitats within the developed site; enhancements to retained watercourses and waterbodies; and the establishment of a fund for ecological improvements.
- 7.45 The large scope and scale of the proposed mitigation and compensation measures and the efforts employed to date in ensuring that key stakeholders have been involved in their scope and design are acknowledged. Within the reservoir site itself the proposed land-use changes are so profound that it is essentially impossible to make meaningful comparative judgements between losses and gains that take full account of impacts to habitats, species and the local ecological network.
- 7.46 Overall, the submission of the Implementation Plan and Action Plans, provides a useful level of further detail to demonstrate the scope of the proposed works and methods of delivery. It is acknowledged that there is uncertainty over the exact location and nature of some aspects, but consider that these further details would provide adequate protection and enhancement of the local ecology along the pipeline route. The details would be secured through future planning submissions and appropriate legal agreements.
- 7.47 There are various conditions which are relevant to biodiversity. The Site Wide Framework includes the requirement for the submission of a Site Wide Ecological Mitigation and Management Strategy and the Key Phase condition also requires the submission of a Key Phase Ecological Management Plan setting out how the development would secure ecological enhancements and mitigation. This together with a 'running total' of mitigation, compensation and enhancement delivery in order that the applicant, LPA and other stakeholders understand what is being delivered, where and by whom, and that net biodiversity gain is achieved.

**(iv) Impact of the development on the local and strategic highway network**

- 7.48 The National Planning Policy Framework (NPPF) at Paragraphs 108 and 109 states that, in relation to development proposals, decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 110 of the NPPF also states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; and create safe and secure layouts which

minimise conflicts between traffic and cyclists or pedestrians.

- 7.49 The pipeline route includes sections, circa 2km of the 4.5km length, which are proposed to be laid below public highway. The following roads are subject to infrastructure being laid beneath the highway.
- Middle Park Way
  - High Lawn Way
  - Dunsbury Way
  - Wllisfield Road
  - Riders Lane
  - Highclere Avenue
  - Ewhurst Close
  - Purbrook Way
  - Barncroft Way
  - Fraser Road
  - North Street
  - Bedhampton Road
  - Brusnwick Gardens
- 7.50 It is forecast that works to complete the pipeline would be undertaken within 2023 and 2026. Construction of the pipeline would be undertaken in 3 periods so construction on the highway may not be continuous across the 3 years
- 7.51 Extensive discussions have taken place between the applicant, Havant Borough Council, and Hampshire Highways. The Highway Authority requested the following further information from the applicant:
- A high-level programme of works and timetable should be submitted;
  - Key junctions on the local road network to be assessed for the worst-case scenario of traffic impact;
  - Assessment of diversion of traffic during road closures/traffic management;
  - Framework Traffic Management Strategy showing, but not limited to, the following;
  - Proposed diversion routes, traffic management plans, indicative programme of works, appropriate mitigation measures to minimise the impact of the works on the highway
  - Personal Injury Accident data to be reviewed based on the proposed road closures and diversions;
  - Restricting the use of road space near existing schools;
  - Diversion plans for cyclists where appropriate when road closures are required;
  - Framework Construction Traffic Management Plan;
  - Highway reinstatement proposals;
  - Highway tree impact assessment;
  - Updated construction detail plan.
- 7.52 The applicant and the Highway Authority have been engaging in discussion over the above and a Framework Construction Traffic Management Plan has been provided for both the construction of the reservoir and the construction of the pipeline. The applicant has stated that due to the current work undertaken to date, some of the requested information cannot be provided until further detailed work is undertaken and a design and build contractor is on board, which would be appointed if planning permission is approved.
- 7.53 The applicant has set out in the Framework Construction Traffic Management Plan for the pipeline element that the full CTMP would include the following;
- A Full CTMP for any phase of works area;



- Detailed programme and duration of construction;
- Restrictions of the number construction personnel per a day to a maximum of 125 workers. The CTMP secured restricting travel arrangements to be outside of peak hours and further mitigation where necessary;
- Details of any alterations to the highway, including temporary and / or permanent, to enable construction and to obtain the necessary highway approvals for any changes;
- Details of the number of construction and delivery vehicles permitted to utilise the southern access fixed at up to 30 HGV movements per day and six per hour;
- Traffic management details of the pipeline installation;
- Details of any additional compounds and laydown area which are not located within the reservoir site;
- Highway condition surveys of all construction traffic routes;
- Wheel washing facilities for managing the site to prevent mud onto the highway and road sweepers to be utilised if required;
- Details of onsite contractor parking;
- Commitment to avoid school term times where the pipeline runs close to a school.

#### Traffic Management Plan

- 7.54 The Highway Authority are satisfied that through securing the Framework CTMP and the obligation for the applicant to provide a Full CTMP for every phase, which would be aligned to the overarching framework that the impact on the local road network can be suitably mitigated against. This would complement the formal highway licences and permits the applicant would need to apply for when constructing the pipeline under the highway. Traffic Management plans would need to be provided, which should include pedestrian, cycling and vehicular diversions for every phase of works undertaken. The details of the CTMP are further covered in the Highway section of the reservoir application.
- 7.55 The applicant has included in Appendix A of the Framework CTMP, a table of proposed road closures and diversion routes. The Highway Authority has undertaken a high-level review and only has a concern over the Dunsbury Way closure and the diversion on to Riders Lane. Whilst this is not a matter to consider at this stage, it is a the applicant would need to revisit the diversion routing in dialogue with the Highway Authority to ensure traffic management and diversions are suitable and agreed in a timely manner.
- 7.56 The Framework Traffic Management Strategy should also include a commitment to providing a high level of public engagement and communication over the road closures and diversion routes to ensure that disruption to journeys are minimised when Traffic Management is in place.

#### Highway Reinstatement

- 7.57 Due to the increase in HGV's there may be a detrimental impact to the existing carriageway and ongoing maintenance. A pre-condition survey should be undertaken by the applicant prior to any commencement on site to assess the condition of the construction route. At the end of the construction period, the applicant would need to make good any defects caused by HGV traffic, in agreement with the Highway Authority.
- 7.58 It is not known what impact the construction period would have on existing highway infrastructure, including trees, street lighting/signage and drainage, the applicant should provide an overview of infrastructure which may be impacted as a result and commit to reinstating all highway infrastructure and assets to their original state.

Public Rights of Way

- 7.59 The pipeline crosses Havant Footpaths 506a which runs west from Ellisfield Road, Havant Footpath 33 which runs north from Barncroft Way, Havant Footpaths 507 and 41b connect Fraser Road and North Steet by Bidbury Junior School. The pipeline also runs through Staunton County Park (Hampshire County Council Countryside Service Site), High Lawn Site of Importance for Nature Conservation (SINC) and Thicket Lawn SINC.
- 7.60 The pipeline would require works to the surface of a number of public footpaths and permissive paths within Staunton Country Park. Any works to the surface of the public Right of Way would be required to be restored to the satisfaction of Hampshire County Council Countryside Area Access Manager. There is likely to be an effect on the footpath in terms of dust, noise, or other obstruction during the period of the works and there could be a risk to users of the footpaths. These matters can be controlled through the submission of a construction environment management plan (CEMP), to ensure the safety of users of the Rights of Way during the construction period.
- 7.61 The Highways Authority in respect of Rights of Way, have advised that Temporary Closure Orders would need to be applied for separately to stop up or divert the public right of way without following the due legal process. The applicant would be advised of this by way of an informative to any decision made.
- 7.62 Taking all these highway factors together it is considered that the site is sustainable in transport terms, subject to the mitigation measures proposed, and secured via the S106 and conditions. Overall, the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused. It is clear in paragraph 109 of the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Following the implementation of the agreed mitigation proposals required by legal agreement and conditions, these are considered to mitigate the impact of the development on the highway network.

**(v) Impact on flood risk, hydrology and hydro-geology**

- 7.63 The NPPF advises the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, in line with the objectives of the Climate Change Act 2008 (paragraph 149). At a local level, policy on flood risk is outlined in HBC Policy CS15, draft Policy E19, In addition, HBC Policy CS18 and draft Policy KP9 seek a flood risk assessment of the scheme and mitigation put in place to minimise risks.
- 7.64 The assessment of the scheme on the water environment is provided in Chapter 15 of the ES, which includes a detailed Flood Risk Assessment (FRA). This section firstly considers whether the location of the development is appropriate, in accordance with guidance relating to the flood sequential and exception tests. This report then considers the impact on the water environment, including flood risk from the development, in terms of impacts during construction and the operation of the reservoir and pipeline.

Sequential and exception test

- 7.65 The application boundary of the is approximately 21 hectares. Whilst the majority of the site in flood zone 1, which has the lowest probability of flooding, parts of both the and pipeline are in flood zones 2 and 3, located adjacent to the Heritage and Riders Streams, which have a high risk of flooding.

- 7.66 As parts of the site are at high risk of flooding, being located in flood zones 2 and 3. The NPPF assigns vulnerability type to land use. The vulnerability types range from water-compatible to essential infrastructure. The land use changes across the site. The main developments are classed as the following:
- reservoir embankment = essential infrastructure
  - pipeline = essential infrastructure
  - control house = essential infrastructure
  - visitor centre = less vulnerable
  - educational hides = less vulnerable.
- 7.67 A development is always classified based on the most vulnerable element/s. Havant Thicket reservoir is classed as essential infrastructure and can be compatible with a high risk of flooding (flood zone 3), subject to appropriate mitigation. However, the proposals must satisfy both the sequential and exception tests, as set out in the NPPF, for development to be permitted. These tests are considered below.
- 7.68 In this case, the requirements of the sequential test should be considered alongside the wider available and suitable land for a reservoir, as outlined in the principle of development including need and proposed location section of this report. In addition, this site is allocated in the development plans for a reservoir. As such the proposal is complies with the sequential test.
- 7.69 As the site is allocated for a reservoir and pipeline in the adopted plans, government guidance outlines that an exception test is not required both due to the nature of the development and that it complies with adopted policy.

#### Impact on water environment

- 7.70 This development needs to be read in context of the water environment, the whole purpose of the scheme is to reduce abstraction from the nearby River Itchen, designated as a Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) and the River Test (SSSI) - whilst maintaining a resilient water supply to the area.
- 7.71 The proposal is supported by an Outline Biodiversity Mitigation and Compensation Plan, which is been produced following detailed negotiations with both Natural England and the Environment Agency. As part of this proposal the reservoir would result in the creation of new habitats of ecological value - particularly the wetland along the northern edge of the reservoir as well as approximately 100m additional stream length to the east of the reservoir.
- 7.72 In addition, there would be further benefits to the Riders Lane Stream and Hermitage Stream as a result of a more consistent compensation flow regime from the reservoir, which would improve the current intermittent flows within these water bodies. In addition, the reservoir and associated pipeline would have benefits downstream, in terms of flood risk, by reducing the volume and frequency of peak water flows during flooding events.
- 7.73 Furthermore the water quality discharged from the reservoir into the Riders and Hermitage Streams would be of more consistent quality. Improvements, and associated reductions, in nutrient levels which would be of significant benefit downstream where it enters into Langstone Harbour - a sensitive designated site, which is a Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Scientific Interest (SSSI), and Ramsar.

- 7.74 However, the scheme would result in the loss of 3.7 km of headwater stream habitats, from the reservoir site and would result in a permanent effect on aquatic habitat connectivity and geomorphology in the river system. There would also be permanent change to the outline of superficial aquifers as a result of the presence of the reservoir.

Water Framework Directive (WFD)

- 7.75 The environmental objectives of the WFD are set out in Article 4 of the directive and relate to... *ensuring the continued protection of the condition of all waterbodies and the development of plans to deliver measures to improve failing water bodies to a good condition (or better).*
- 7.76 The two key objectives against which new developments or schemes should be assessed are:
- no deterioration of status (or potential) for surface and groundwaters
  - achievement of good status (or potential) by 2021 or 2027, for waterbodies currently failing to achieve this status or potential.
- 7.77 WFD compliance assessments for new developments and schemes must demonstrate that the proposals would not result in the deterioration in status (or potential) of any water body. Where a waterbody is at a status less than good (or potential), it must be demonstrated that the implementation of the proposals would not prevent the water body from meeting good status (or potential) in the future.
- 7.78 Following the completion of a WFD compliance assessment, Havant Thicket reservoir was deemed to have the potential to cause deterioration of the impacted water body of Riders Lane Stream which is part of the Hermitage Stream. The main area of concern relates to the construction of the embankment and reservoir footprint. The resulting loss of habitat is significant with the direct loss of 3.7km of headwater habitat within Riders Lane Stream. The length of watercourse lost would account for approximately 42% of headwaters and 18% of the entire length of watercourse within the water body.
- 7.79 The WFD uses the term "quality elements" to refer to the different indicators of ecological quality comprising its ecological status classification schemes. The quality elements used to assess ecological status are biological, chemical and physicochemical, and hydromorphological quality elements.
- 7.80 The assessment identified that both biological and hydromorphological WFD quality elements were at risk of deterioration. Specifically, invertebrates, macrophytes phytobenthos and hydromorphology. A deterioration of any one, or more quality elements can cause an overall deterioration and lowering of class status at the water body scale, this is contrary to the objectives of WFD.
- 7.81 The WFD precludes the authorisation of individual projects which may cause the deterioration of the status of a body of water, unless a derogation under article 4.7 of the WFD is justified. As such, whilst the identified compensation and mitigation measures would be undertaken, there does remain potential for deterioration of the water downstream, which is a Water Framework Directive (WFD) qualifying waterbody.
- 7.82 The four WFD derogation tests that must be satisfied are:
- test (a): All practicable steps are to be taken to mitigate the adverse impacts on the water body concerned
  - test (b): The reasons for modifications or alterations are specifically set out and

- explained in the RBMP (River Basin Management Plan);
  - test (c)(1): There is an overriding public interest in the Proposed Development and/or test (c)(2): Its benefits outweigh the benefits of the WFD objectives
  - test (d): The benefits of the project cannot be achieved by a significantly better environmental option.
- 7.83 The WFD Article 4.7 assessment (document reference - HTR-ATK-XX-XX-RP-2-0067) describes the outcome of this process. A framework approach demonstrating how the scheme would meet the four tests has been discussed between the Environment Agency (EA) and the applicant and accompanies the planning applications. These discussions identified a long list of practicable measures that would be appropriate to fulfil article 4.7 test (a). The EA have agreed that these measures are sufficient for the purposes of fulfilling the Article 4.7 derogation.
- 7.84 Following the above process, a shortlisting exercise has been undertaken to identify the deliverable options and the appropriate level of mitigation and compensation required for the watercourses impacted by the scheme. The agreed package, for the water environment includes both on-site and off-site mitigation, and compensation totalling up to 5.5km of watercourse improvement.
- The on-site mitigation and compensation plan (approximately 1.57km) concentrates efforts in the headwater streams upstream of the reservoir.
- 7.85 The off-site mitigation and compensation are spread across the wider catchment and includes the following measures:
- Riders Lane Stream (part of the Lake Stream) (approximately 0.45km)
  - Hermitage Stream (approximately 2.99km)
  - Park Lane Stream (approximately 0.47km)
  - improvements along Lake Stream would provide mitigation for distinct species lost under the scheme's footprint.
- 7.86 The package of measures includes restoration of the Hermitage Stream. The measures proposed are based upon feasibility and design work undertaken jointly by Havant Borough Council and Environment Agency in 2013. The EA have shared this information that was compiled at the time with Portsmouth Water, including drawings and costings. The mitigation and compensation measures agreed as part of the water environment package would be in keeping with the design work previously undertaken, including the removal of concrete bed and banks, which would enable the naturalisation of the waterbody again, and allowing the flow of the to be slowed through ecological enhancements, thus naturally reducing flood risk.
- 7.87 The EA in agreeing the package of mitigation and compensation with Portsmouth Water, have identified measures that are both environmentally sound and appropriate for the scale of loss that would result from the development. The impacts that have been identified cannot be readily mitigated or compensated for, due to the distinctiveness of the habitat. Meaning the habitat to be lost cannot be recreated. Therefore, it is considered that the package of measures, once implemented, would provide a joined-up network of quality habitat improvements that would mitigate and compensate against the high value conservation habitat lost from the scheme.
- 7.88 In summary the EA have advised that this package provides sufficient length of watercourse improvement (5.5km) and an appropriate balance of measures to satisfy both the article 4.7 requirements and Biodiversity Net Gain commitments. The proposal would only be acceptable and compliant under the Water Framework

Directive once the mitigation and compensation package of measures has been secured - these measures would be secured by a legal agreement.

#### Flood risk

- 7.89 The application is accompanied by a comprehensive Flood Risk Assessment (FRA), which considered the impact of the development from construction through to operation. The FRA considers the impacts of fluvial, tidal and surface water flooding. In addition, it considers the impact of artificial flood risk, which is that created by the reservoir and pipeline itself, and the proposed mitigation measures. This element of the report would outline:
- the permanent and construction elements of the scheme
  - operational and construction flood risk impacts
  - managing associated flood risk.
- 7.90 Whilst this is the subject of the parallel application APP/20/00990, and within Havant Borough, as these two applications are inextricably linked details have been provided within this report. The reservoir would operate as a pumped storage reservoir utilising surplus water from the Havant & Bedhampton Spring source. A bi-directional pipeline (4.4 km) is, therefore, required to allow for the transfer and discharge of water between the Bedhampton Springs and the reservoir.
- 7.91 The same pipeline would also provide a conduit to convey part of the drawdown flow that is not discharged into the Riders Lane Stream. This flow is to be conveyed over halfway along the route, into the Hermitage Stream near its confluence with the Riders Lane Stream. This discharge facility can reduce the water level in the reservoir in line with the requirements of the Environment Agency Guide to Drawdown Capacity for Reservoir Safety and Emergency Planning.
- 7.92 The sizing of the conduit has been analysed, in relation to the flow rate passed down it, within a study on the Emergency Drawdown scenario. The maximum emergency drawdown rate from the reservoir in accordance with Environment Agency guidance has been calculated as 10.9m<sup>3</sup>/s, which would allow the reservoir top water level to be drained down by 900mm in depth over a 24-hour period, allowing the reservoir to be lowered by a third of its water depth in six days.
- 7.93 The total discharge rate from the reservoir is then split to allow a 7.05m<sup>3</sup>/s to the Riders Lane Stream directly downstream of the reservoir embankment, and 3.85m<sup>3</sup>/s to the Hermitage Stream approximately 2km downstream from the reservoir. In order for the Riders Lane Stream to receive these emergency drawdown flows without increasing flood risk, three culverts are proposed, to replace the existing culverts in the river system, in order to be able to accommodate the Emergency Drawdown.
- 7.94 The pipeline includes a 700mm diameter pipe (1,650m in length) for normal pump-and-return flows with this increased to 1,200mm diameter (2,750m in length) for the section where it is to accommodate the emergency drawdown flow from the reservoir site to the Emergency Drawdown Valve. The location of the Emergency Drawdown Valve is not fixed at this point, as this would be considered at Reserved Matters stage, however they would be located on the Hermitage Stream, upstream of the Riders Lane Stream confluence and Purbrook Way. The locations would be selected considering geomorphology modelling, flood modelling and aquatic/ecological assessment. It is expected that the valve would be housed in a concrete structure adjacent to the watercourse.

#### Drainage management plan

- 7.95 A drainage management plan would be prepared for the scheme as part of the Detailed Reserved Matters application. This would include details such as design standards, pollution control/interception, outfall locations, earthworks, access roads and haulage routes and surface water drains. It would also include details of how increased surface water runoff from new areas of hardstanding, such as from access roads, visitor centre and car parks, and how these would be managed to ensure no increase in flood risk. Sustainable Drainage Systems (SuDS) would be included in the drainage design. It would also include details of how the construction compounds would safely manage surface water flows in line with Environment Agency guidance.

#### Construction Environmental Management Plan

- 7.96 A construction environment management plan (CEMP) would be prepared for the scheme. This would include a process for managing the volume and quality of discharge of water for the construction compound, areas used for construction use, other areas of hard standing and haulage roads, which would discharge into the site water management systems via shut-off sluice valves. This document would also make provision for attenuating surface water runoff generated as part of the reservoir and pipeline construction, which has additional benefits of better management of water quality, and the associated nutrient input into Langstone Harbour.
- 7.97 The proposed mitigation in line with best practicable measures and construction environmental management procedures are set out in the Outline Environmental Management Plan (OEMP), which would form the basis for the production of the CEMP. In addition, the Record of Environmental Actions and Commitments (REAC) identifies the commitments to address potential flood risk effects of the construction of the scheme.

#### Environmental Permits

- 7.98 In addition to the above requirements, permits would be required, as required under other legislation. These include:
- an Environmental Permit from the Environment Agency would also be required to allow any controlled discharges to the Riders Lane Stream, Hermitage Stream and Lavant Stream
  - a Flood Risk Activity Permit (FRAP), from the Environment Agency, as the application sites designated main rivers, such as the Hermitage and Riders Streams, and areas that are in Flood Zones 2 and 3. As such the construction of the pipeline corridor, culvert engineering works and construction compound would require a FRAP
  - works within 8m of an Ordinary Watercourse, for example, the pipeline construction crossing the Lake Stream and/or the culvert improvements under the construction access road for the headwaters to the Riders Lane Stream, would require an Ordinary Watercourse consent from the LLFA.

#### Operational maintenance

- 7.99 Havant Thicket reservoir would be regulated under the Reservoirs Act 1975 as amended by the Flood and Water Management Act 2010, which was set to promote the safety of large raised reservoirs. As required by the legislation, the reservoir is being designed and would be constructed under the supervision of an All Reservoirs Panel Engineer (as the Construction Engineer) and during operation a Supervising Engineer would do regular visits (twice a year typically) and prepare an annual statement. An Inspection Engineer would inspect the reservoir at least every 10 years, or when requested by the Supervising Engineer. Following the inspection, the Inspection Engineer in their report can identify “measures in the interests of safety” which must be addressed by Portsmouth Water.

- 7.100 The testing of the emergency discharge valves would be undertaken twice per year, in line with the requirements of the Reservoirs Act (1975), and the Environment Agency Guidance for Drawdown Capacity (Environment Agency, 2017). The configuration of the control and submerged valves permits testing of each under full head, without a discharge at design capacity. This regular maintenance and testing is required to ensure the continued safe operation of the reservoir and Emergency Drawdown Strategy. Full testing of the 'emergency drawdown' system, up to the capacity of the watercourses, would be tested on commissioning of the reservoir. Further details of this emergency drawdown scenario are considered further below.
- 7.101 The Reservoirs Act 1975 ensures that reservoir operators are legally responsible for ensuring that the stringent safety measures are met through regular maintenance of the reservoir assets, such as the embankment, spillway, control system and drawdown infrastructure. With these measures in place, the risk of embankment failure and reservoir beach are highly unlikely.
- 7.102 However, the consequence of a breach has been modelled to understand the flood risk associated with a failure of the reservoir embankment. A single breach location has been considered on the southern face of the embankment, approximately at the natural/existing path of the Riders Lane Stream. This location is selected at the lowest section in the surrounding topography (the valley for the stream), and thus at this location the embankment is at its highest. This provides the worst-case scenario by releasing the entire volume of the reservoir, excluding the volume retained in the wetland. This is also considered the most likely point of failure, since it is the location of the control structure/outfall.
- 7.103 The results show that if a breach were to occur then there would be a wide-ranging flood extent that covers most of the urban centre of Havant, Leigh Park and Langstone. However as outlined above, this scenario is never anticipated as the reservoir is designed and maintained never to breach, and this is the worst case-scenario without appropriate mitigation and emergency plans. Following a reservoir inspection by a Panel Engineer, if a breach is considered likely, an 'Emergency Drawdown Strategy' would be implemented to avoid a breach of the embankment and significantly reduce the volume held in the reservoir.

#### Emergency Drawdown Strategy

- 7.104 As discussed above, the pipeline that pumps surplus water from the Bedhampton spring source, would also be used to provide an Emergency Drawdown facility to safely reduce the water level in the reservoir - in line with the requirements of the Environment Agency Guide to Drawdown Capacity for Reservoir Safety and Emergency Planning.
- 7.105 If early signs of internal erosion are identified, the emergency drawdown system provides a means to lower a reservoir's level quickly. This may be a precautionary measure while the problem is investigated, or an emergency measure. In either case, the primary objective would be to reduce the load on the dam, and thereby arrest the internal erosion which has already initiated, or is at high risk of initiating, and prevent it from developing. If this objective cannot be achieved, then partial drawdown would allow time to make repairs, or evacuate downstream, or employ other techniques to avert failure. In the very worst outcome, the intervention of drawdown would reduce the consequences of failure by reducing the volume of water released in a breach event.
- 7.106 The maximum drawdown rate from the reservoir in accordance with Environment



Agency guidance would allow the reservoir top water level to be drained down by a depth of 900mm over a 24-hour period, this would allow the reservoir capacity to be drained by a third in six days. The Emergency Drawdown would be accommodated through outfall structures into the Riders Lane Stream at the toe of the dam structure and into the Hermitage Stream via a pipe discharging in the vicinity of Purbrook Way, approximately 2km downstream from the reservoir site.

7.107 To determine if the capacity of the downstream channels is sufficient to accommodate the Emergency Drawdown without causing flooding to properties, the proposed flows were simulated in combination with an existing flow condition equivalent to the 10% exceedance flow in each channel, and an extreme tidal flooding event, this approach was agreed with the Environment Agency. In addition to this design test scenario the following sensitivity scenarios were also tested:

- modelling of a range of fluvial event flows to identify the thresholds for property flooding at key locations
- testing of whether the waterbodies have sufficient capacity for an emergency event
- testing of Emergency Drawdown scenario against extreme tidal events, including with an allowance for climate change.

7.108 The model results indicate that the emergency drawdown flows into the Riders Lane Stream potentially resulted in four properties upstream of Middle Park Way being at risk of flooding, as well as causing some inundation of Dunsbury Way and Purbrook Way roads/bridges. To mitigate this, enhancements to culverts along the Riders Lane Stream, as outlined earlier in this section, have been included in the scheme design. In addition, Middle Park Way was identified as being at risk of flooding, and this risk is mitigated by the culvert enhancements. The modelling demonstrates that there are no residential properties/dwellings at risk of flooding in this design scenario, however a small number of gardens/sheds (2-3) and one industrial unit are within the modelled extent, showing depths between 0.1-0.2 m. There is no inundation of roads due to the enhanced capacity at the culvert constrictions.

#### Access condition, flood warning and evacuation

7.109 As outlined above during the Emergency Drawdown scenario, there are no residential properties at risk. Although a small section of the industrial unit is potentially at risk of shallow flooding, however there is an alternative route for access and egress via Dunsbury Way. In the worst-case scenario, due to the unexpected failure of the embankment, in combination with the inability to invoke the Emergency Drawdown strategy there would be very limited warning and ability for evacuation. The breach modelling demonstrates that the following key roads are likely to be out of the flooding zone and would be available to use for evacuation:

- Petersfield Road (B2149)
- western section of Purbrook Way, leading to the A3(M)
- Park Lane, leading south-west and away from the breach extent
- Bedhampton Lane, leading west and away from the breach extent.
- Safe access and egress to/from the Visitor Centre within the site would be provided by the Southern access road.

7.110 If there is a requirement to activate the Emergency Drawdown strategy, and it is unsafe to do so from the Control House, the valves can be operated remotely. Furthermore, piping failure of the reservoir is known to start slowly, and therefore if the embankment structural integrity was compromised, it is likely that there would be significant warning to the reservoir operator. This would not only allow the Emergency Drawdown strategy to be activated, reducing the hydraulic load on the embankment by drawing down the reservoir level (by a third over 6 days), but also give the reservoir

operator time, if decided necessary, to evacuate areas of Havant at risk if breach occurred.

- 7.111 The Department for Environment, Food and Rural Affairs (DEFRA), provides guidance on Reservoir Emergencies, this requires that an off-site plan be developed prior to reservoir operation, which provides a framework of procedures to coordinate a multi-agency response to the off-site consequences of a potential or actual breach. If a dam breach is deemed imminent, the operator is required to raise an alert to the Police, who in turn activate the Plan and instigate the coordination of emergency services, local authorities and other key partners.

*Overall summary on water environment and flood risk*

- 7.112 In conclusion on this matter, whilst an element of the site is categorised as being within an area of potentially high flood risk, it can be concluded that this proposal meets the requirements of the necessary sequential test through the provision of much needed infrastructure in terms of providing robust and reliable water supply. In the absence of suitable mitigation measures the development would have an impact in terms of flooding and loss of biodiversity. However, the proposed mitigation plans, which includes both on-site and off-site ecological improvements to waterbodies, are considered to provide an appropriate balance of measures to satisfy both the article 4.7 requirements and also Biodiversity Net Gain commitments. In terms of flood risk, the detailed flood risk assessment, including emergency drawdown strategy, have been considered acceptable by the EA and LLFA, subject to further detailed matters being considered at Reserved Matters stage.

**(vi) Impact on residential amenity (noise and vibration, air quality)**

- 7.113 The principal effect on residential amenity is likely to be from noise and vibration initially associated with construction activities and increased traffic during construction phase. It is also anticipated that there may ongoing impact, albeit lesser so, when operational from visitors. Chapter 8 of the ES considers noise and vibration and provides an appraisal of the likely significant effects at sensitive receptors within 300m of the reservoir and pipeline application sites. These were agreed with the Council's Environmental Health Officer as being representative of the noise sensitive receptors closest to the scheme boundary.
- 7.114 The approach and methods used to predict and assess noise and vibration from the proposed scheme are considered relevant and robust. They reflect good practice and are similar to the approach and methods used for comparable schemes. The choice of approach and methods used generally takes a 'worst case' based approach to predicting and assessing impacts which leads to confidence that the outcomes do not under-estimate the likely noise and vibration effects.
- 7.115 Baseline noise measurements can be regarded as precautionary and the reported data is in the range expected for a mixed rural and edge of settlement location such as this. The limitations and assumptions of the appraisal of the noise and vibration effects are clearly stated and are regarded as making the assessment robust.
- 7.116 The anticipated noise levels from different phases of the construction and operation of the scheme and associated traffic noise, and the resulting change in noise level relative to the baseline, have been predicted using established and ratified methods such as the statutorily approved method for predicting construction noise from BS 5228 and the Department of Transport's Calculation of Road Traffic Noise. Consequently, the predicted impact magnitudes presented within the ES are considered appropriate and subject to minimal uncertainty. The criteria used to assess the significance of impact of construction noise are taken from BS 5228 and generally

linked to the existing baseline noise climate. Where earth-moving works would last more than six months however, the ES adopts the substantially more stringent criteria from minerals planning guidance. These criteria are well established and are considered to represent best practice.

- 7.117 The ES states that none of the noise levels from the construction works are predicted to exceed the significance criteria identified. The effect of the noise from the construction phase is further mitigated by the worst-case nature of the noise predictions i.e. in reality the noise levels are likely to be lower than predicted in the ES. The ES reports the residual significant effect of construction noise as being a minor adverse effect and this is considered to be a precautionary (pessimistic) assessment.
- 7.118 The Environmental Health Officer has noted that the key issue with the pipeline application, is the impact on the amenities of neighbouring residential properties, particularly alongside the pinch points of the pipeline corridor where it is in close proximity to residential properties, particularly where it would run through the highway, and at points alongside the Hermitage Stream. It is noted that with respect to noise from pipeline construction the ES relies on a number of assumptions, given the outline nature of the scheme.
- 7.119 In order to be able to fully understand and mitigate any associated impacts, conditions are proposed which require a noise and vibration management plan, including details of working hours with night working to be discouraged, except in exceptional circumstances. In addition, a Construction Method Statement (CMS), and a revised and updated noise and vibration assessment, with associated mitigation measures including noise insulation measures for those properties that are in close proximity to the scheme and shown to require mitigation during the construction period.
- 7.120 In conclusion, the ES reports less than minor adverse noise impacts from the construction phase including construction traffic, and minor adverse noise impacts from the operational phase. The ES finds that significant impacts due to vibration in either the construction or operational phase are unlikely. It is considered that these findings are precautionary and pessimistic and effective control of adverse noise and vibration effects from the construction phase can be achieved by implementation of a construction environmental management plan to ensure that, amongst other matters, construction HGV movements only occur at given times as assumed in the ES. Conditions requiring a Construction Environmental Management Plan (CEMP) and a Construction Method Statement (CMS) to control the associated impacts, are considered appropriate.

#### Air quality

- 7.121 The air quality assessment and consideration of potential air quality effects during the construction and operation of the proposed development makes appropriate reference to the Air Quality Strategy for England, Scotland, Wales and Northern Ireland and the associated local air quality management (LAQM) regime. It also makes relevant reference to the properties of dust in the British Standard document BS6069 and how it is defined as a statutory nuisance in the Environmental Protection Act.
- 7.122 The assessment of construction and operational traffic follows guidance set out in the Highways Agency DMRB, and the approach adopted is considered sound. Based on the predicted number of vehicle movements the ES concludes that the impact on air quality would be negligible. This conclusion is considered reasonable. The use of the assessment of the Institute of Air Quality Management (IAQM) document, Guidance on the Assessment of the Impacts of Construction on Air Quality and the Determination of their Significance for assessing the effects of construction dust are also considered

appropriate.

- 7.123 The proposed mitigation measures set out in the ES are considered extensive and Officers agree that with mitigation the residual construction dust effects would be minor. As such, the constructional effects can be mitigated through implementation of the CEMP.

**(vii) Other Environmental Impacts, Geology, Soils and Contamination**

- 7.124 The ES considers the main issues relevant to geology and soils, including land potentially affected by contamination. The likely significant effects arising from any existing ground contamination are assessed principally in relation to human health and safety, groundwater and surface waters, designated ecological receptors, plant growth and construction materials.
- 7.125 The general approach to assessment is supported and includes consideration of published and other available documentary sources, intrusive surveys and associated ground contamination assessment reports. Consideration has also been given to the site's history, geology, hydrogeology, hydrology and soil quality. Potential risks, where identified, and the likely significant effects associated with the proposed development have been assessed in terms of geological, geomorphological and soil attributes and also water and groundwater resources. Officers are satisfied that the assessment methodology has been developed in accordance with the relevant legislative framework and relevant planning guidance as it relates to the management of contaminated land and the impact of contaminated land on ground and surface water.
- 7.125 The ES identifies the potential for contamination and effect on human health at both the construction and operation phases, although the most significant effect on construction workers is expected to be only minor adverse and reversible. Contaminants included isolated and localised elevated levels of iron and manganese. The iron levels are actually within the normal ranges for this part of southern England. However, these were not at levels considered to be a significant risk to construction workers or the wider population and could be mitigated via the application of health and safety measures. The impacts during the operation of the development are assessed as negligible.
- 7.126 In order to mitigate any impacts, the applicant proposes that during construction measures set out in a CEMP would be followed. These include environmental monitoring of groundwater and surface water quality, and control of the exposure to known contaminants of concern. Those parts of the site yet to be surveyed would be investigated to collect information (e.g. on soil quality) needed to assess potential risks to health and quality of water. This would also take account of the final design of pipelines and other elements of the proposed development. The Council's proposed conditions would ensure that any unexpected contamination encountered during the construction works is appropriately assessed and dealt with, and Officers are satisfied that any likely impacts would be mitigated via conditions as proposed by the Council's Environmental Health Officer.

**(viii) Impact on climate change**

- 7.127 The UK Climate Change Act set a legal reduction target of 80% against 1990 levels by 2050. It also introduced a series of carbon 'budgets' for five-year periods, to act as stepping-stones to the overall reduction. There are budgets currently set up to 2032. In response to the ambitions of the Paris Agreement, in June 2019 the Climate Change Act was amended to set the overall reduction target by 2050 to at least a 100% reduction in net emissions against 1990 levels, i.e. 'net zero carbon'.

7.128 The assessment of the effects of the Scheme on climate change is provided in Chapter 16 of the ES. Greenhouse gas emissions for the construction and operation of the Scheme have been calculated, based on current design and construction information, and have been considered in the context of the UK's national carbon budgets and overall net zero carbon ambition. The Scheme seeks to promote renewable energy and low carbon design in the buildings. In addition, the design considers the effects of climate change and applies the appropriate climate change factors particularly to flood risk levels to ensure that the infrastructure is resilient to expected climate change and extreme weather events. It is considered achievable for the reservoir to be carbon neutral by 2050. Due to its small contribution to overall emissions, the potential for carbon neutral operation by 2050, and the proposed design factors, it is considered the Scheme is compliant with climate change planning policies.

#### **(ix) Contribution requirements and legal agreement**

7.129 As set out above a number of issues need to be secured within the Section 106 legal Agreement, in addition these obligations are similar to the reservoir application, in addition some specific obligations relating solely to the pipeline are included required under APP/20/00990, these are:

1. Off-site Biodiversity Mitigation and Compensation Strategy- to include:
  - a) Creation of 80 hectares of new wood pasture and neutral grassland habitat
  - b) Up to 72 hectares of habitat restoration in Southleigh Forest
  - c) Compensation and enhancement package for the loss of 3.7km of ephemeral stream, which would provide on-site and off-site mitigation and compensation, totalling up to 5.5km of watercourse improvement.
  - d) Capital Grant Scheme to fund biodiversity enhancements to the value of £1.2 million
2. S106 monitoring fee
3. A contribution in relation to traffic management
4. Payment of a Travel Plan Bond, Monitoring Fee and Approval Fee
5. Travel Plan (HCC)
6. Highway County Council Highway Works (HCC) and Site-Specific Transport Improvements (HCC) – including:
  - Commitment to pay to the Highway Authority any required CAVAT payment prior to the loss of any highway trees
  - No pipeline works can start on site until such time as the Northern Access and Southern Access as secured within the reservoir application have been built to Hampshire County Council's satisfaction through application HBC APP/20/00990 and East Hants – 51680/001

### **8 Conclusion – overall planning balance**

8.1 In conclusion on the principle of development it is considered that there is an overriding public need for the scheme and a lack of suitable alternative sites. In that the majority of the South East is classed as 'seriously water-stressed' with Portsmouth Water currently sharing supplies with Southern Water in West Sussex and Hampshire of up to 30 million litres of water each day. Southern Water supplies water to an area that is officially identified as an area of significant population and economic growth. Following the restriction imposed by the Environment Agency on abstraction from the internationally designated River Itchen and nationally designated River Test options for making up the subsequent water resources deficit were considered by the WRSE group. In addition, Portsmouth Water have outlined that they would utilise supplies from the reservoir, to have a secure water supply, particularly in the peak summer period for its customers.

- 8.2 The reservoir was included in WRSE's regional strategy and Portsmouth Water and Southern Water's 25-year and 50-year WRMP's, which gained approval from the Secretary of State for the Environment, and then Ofwat, in 2019. The Scheme would provide over 35% of water supply need over the next 25 years, and would help Portsmouth Water to free up existing supplies in the west of the catchment area to share with Southern Water's customers in order to meet the region's challenges in the future, in particular relating to abstraction licence changes, predicted population growth and climate change which would all place pressure on meeting future water supply demand. The site is identified within the adopted and emerging local plans for both Local Planning Authorities and as such the principle of development is acceptable.
- 8.3 Any harmful visual impact of the pipeline would be localised during the construction period. The works within the highway would be restored as original and within landscaped areas, the site would be restored. Whilst it is recognised that in some places this may take some time to mature, the principle is acceptable and details would be secured as part of a Reserved Matters submission. It has also been concluded that the pipeline would not have an adverse impact on highway safety during the construction phase.
- 8.4 The loss of watercourses within the reservoir site would be compensated for through improvements to the Hermitage Stream. Natural England and the Environment Agency have highlighted that they are satisfied that provided the mitigation and compensation strategy is secured and fully implemented the scheme would have delivered a suitable compensation strategy for the loss of irreplaceable habitats. As such it is considered that wholly exceptional reasons to apply in this application, in that a clear and convincing justification and a suitable compensation strategy have been demonstrated in accordance with paragraph 175 of the NPPF.
- 8.5 The site is in flood zones 1, 2 and 3 and the proposal includes significant flood mitigation measures. It can be concluded that this proposal meets the requirements of the necessary Sequential test through the provision of much needed infrastructure in terms of providing robust and reliable water supply. In the absence of suitable mitigation measure the development would have an impact in terms of flooding and loss of biodiversity. However, the proposed mitigation plans, which includes both onsite and off-site ecological improvements to waterbodies addition, are considered to provide an appropriate balance of measures to satisfy both the Article 4.7 of the WFD requirements and also Biodiversity Net Gain commitments. In terms of flood risk the detailed flood risk assessment, including emergency drawdown strategy, have been considered acceptable by the Environment Agency (EA) and Local Lead Flood Authority. The EA and LLFA raise no objection to the pipeline development and are content with the measures in place to ensure that the development, and the surrounding areas are free from the risk of flooding.
- 8.6 In order to be able to fully understand and mitigate any associated impacts, on the amenities of residential amenities during the construction of the pipeline, conditions are proposed which require a noise and vibration management plan, including details of working hours with night working to be discouraged, except in exceptional circumstances. In addition, a Construction Method Statement (CMS), and a revised an updated noise and vibration assessment, with association mitigation measures including noise insulation measures for those properties that are near the scheme. As such subject to these conditions and the associated mitigation measures it is not considered that the development would have a significant adverse impact on the amenities of residential properties.

- 8.5 Following extensive review and consultation to address concerns over vehicular, pedestrian and cycle access. It is now considered that the development would provide safe access to the pipeline during the construction phase and would not have a severe impact on the safety and free flow of the highway network subject to the mitigation measures proposed and S106 and conditional requirements. Overall, the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network during in construction of the pipeline and as such the development should not be refused. It is clear in paragraph 109 of the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.6 The pipeline is an integral part of the reservoir works and is, therefore, necessary to facilitate the transfer of water from the Bedhampton Springs to the reservoir, and vice-versa, in order to meet the overriding public need for the scheme. As outlined above, the impacts of the scheme are would largely be temporary in nature during the construction period. These impacts would be mitigated by appropriate conditions to control the impact on the character and appearance of the area, highway network, ecological impacts, and the impact on the amenities of neighbouring properties impacted by the development.
- 8.7 In conclusion, having regard to the presumption in favour of sustainable development in the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal, together with the wider reservoir planning application and as such the proposal does constitute sustainable development and is in accordance with adopted and emerging policy. Accordingly, in what is a challenging balance of sustainable development principles, the application is recommended for permission.

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## 9 RECOMMENDATION:

That, subject to a resolution to grant planning permission for applications APP/20/00990 - Havant Borough Council and 51680/001- East Hampshire, then

i) the Head of Legal Services be authorised to enter into a S106 Agreement to secure the Heads of Terms set out in paragraph 7.129 above,

ii) the Head of Planning be authorised to **GRANT OUTLINE PERMISSION** for application APP/20/00991 - Havant Borough Council, subject to:

(A) completion of the Section 106 Agreement as set out in paragraph 7.129 above; and

(B) the conditions set out below (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision)

1. The development must be begun not later than five years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby approved in outline shall be commenced until an application or applications for written approval of the details of the route of the pipeline and the siting, scale and external appearance of the emergency drawdown discharge structure, and landscaping (**hereinafter called "the reserved matters"**) have been submitted to and approved by the Local Planning Authority. Application(s) for approval of the matters reserved by this planning permission must be made not later than the expiration of 5 years from the date of this decision notice; and Development must be begun not later than the expiration of 2 years from the final approval of reserved matters for the relevant phase, or, in the case of approval on different dates, the approval of the last such matter to be approved.

Reason: The application was submitted as part outline part full application in accordance with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and in accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990.

3. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Drawings

HTR-ATK-ZZ-ZZ-GS-Z-0140 Site Location Plan  
HTR-ATK-PI-BR-DR-C-0009 Overall Plan and Route  
HTR-ATK-PI-BR-DR-C-0021 Red Line Boundary Drawing (Ch0-1600)  
HTR-ATK-PI-BR-DR-C-0022 Red Line Boundary Drawing (Ch1600-3200)  
HTR-ATK-PI-BR-DR-C-0023 Red Line Boundary Drawing (Ch3200-4500)  
HTR-ATK-PI-BR-DR-C-0014 Site Plan (Ch0-800)  
HTR-ATK-PI-BR-DR-C-0015 Site Plan (Ch800-1600)  
HTR-ATK-PI-BR-DR-C-0016 Site Plan (Ch1600-2400)  
HTR-ATK-PI-BR-DR-C-0017 Site Plan (Ch2400-3200)  
HTR-ATK-PI-BR-DR-C-0018 Site Plan (Ch3200-4000)  
HTR-ATK-PI-BR-DR-C-0019 Site Plan (Ch4000-4564)  
HTR-ATK-PI-BR-DR-C-0010 Typical Stream Crossing Detail  
HTR-ATK-PI-BR-DR-C-0011 Typical Pipeline Construction Detail  
HTR-ATK-PI-BR-DR-C-0012 Typical Under Track Crossing Detail  
HTR-ATK-PI-BR-DR-C-0013 Hermitage Discharge Structure Detail  
HTR-ATK-PI-BR-DR-C-0020 Typical Culvert Detail

Documents

Engineering and Design Report



Planning Statement

Development Specification

Environmental Statement (Volumes 1 - 4) including Non-Technical Summary.  
The Volume 4 Appendices include the following standalone reports:

Outline Construction Environmental Management Plan including Record of  
Environmental Actions and Commitments or REAC  
(ES\_Volume\_4\_Appendix\_A2.1\_OEMP)

Transport Assessment (ES\_Volume\_4\_Appendix\_A13.1\_TA)

Flood Risk Assessment (ES\_Volume\_4\_Appendix\_A15.2\_FRA)

Water Framework Directive Compliance Assessment  
(ES\_Volume\_4\_Appendix\_A15.1\_WFD)

Arboricultural Impact Assessment (ES\_Volume\_4\_Appendix\_A9.14\_AIA)

HTR-ATK-RZ-RE-DR-L-113 Revised Tree Protection Plan Sheet 37 of 40  
(revP01.1)

Design and Access Statement

Statement of Community Involvement

Outline Biodiversity Mitigation and Compensation Strategy

Article 4.7 Statement

#### ADDITIONAL INFORMATION SUBMITTED FEBRUARY 2021

A Summary of the Benefits of Havant Thicket Reservoir

HTR TNPS02 Traffic Distribution Sensitivity revision\_V2.0 dated 25/01/2021

HTR TNPS03 Report on Northern Access Layout dated 29/01/2021

HTR Water Framework Directive Article 4.7 29/01/2021

#### ADDITIONAL INFORMATION SUBMITTED APRIL 2021

Access for Non Motorised Users - Technical Note dated 01/04/2021

Access Strategy, Rat Running and Construction Management - Technical Note  
dated 01/04/2021

Framework Construction Management Plan dated 31/03/2021

Article 4.7 Shortlisting Methodology dated 01/04/2021

Transport Assessment Addendum - Framework Travel Plan dated 01/04/2021

Implementation Plan for Off Site Biodiversity Mitigation and Compensation dated  
01/04/2021

Reason: For the avoidance of doubt and in the interests of proper planning.

**Phasing**

4. Prior to the commencement of development, a detailed phasing plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan and no variation shall be made without the prior written approval of the Local Planning Authority. Approval will not be given if, in the reasonable opinion of the Local Planning Authority, the proposed variation creates new environmental impacts which exceed the range or scale of those measured and assessed in the Environmental Statement (including the further information) and which the Local Planning Authority considers may require further or additional mitigation measures.

Reason: The Environmental Impact and merits of the proposed development have been assessed on this basis.

**Construction Environmental Management Plan**

5. No phase of the development approved under Condition 4 shall commence until a phase specific Construction Environmental Management Plan for that parcel has been submitted to, and approved in writing by the Local Planning Authority. The CEMP shall be based upon, and be in broad accordance with, Volume 4 Appendix A2.1 of the application Environmental Statement (Outline Environmental Management Plan). It should demonstrate that the risk to controlled waters will be appropriately managed, and include both temporary and permanent construction features and detail information on locations of proposed techniques such as cofferdams, culverting and piping and the associated flood risks and mitigation measures. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties or within the public realm. To avoid inappropriate parking practices, and turning and manoeuvring of construction vehicles which adversely impact either the use- or safety- of the public highway. This condition is imposed having due regard to policies DM10 & CS15 (Havant Borough Local Plan (Core Strategy) 2011), and the National Planning Policy Framework 2019.

**Highways and amenity**

6. No phase of the development approved under Condition 4 shall commence until a Construction Method Statement (CMS) for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties.

**Construction Traffic Management Plan (CTMP)**

7. A) No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Local Planning Authority (in consultation with Hampshire County Council as local highways authority). B) No phase of the development approved under Condition 4 shall commence until a phase specific CTMP for that parcel has been approved in writing by the local planning authority. The CTMP(s) shall include all commitments set out in the Framework CTMP, dated 31/03/2021, submitted with the planning applications and will include a Construction Traffic Management Strategy and Construction Worker Travel Plan. The CTMP shall include the following:

- Vehicle routing plans
- proposed programme and duration
- number of construction personnel including travel arrangements and mitigation where necessary
- alterations to the highway, including temporary and / or permanent, to enable construction
- details of the number of construction and delivery vehicles using the public highway (no abnormal loads are anticipated at this stage)
- traffic management details
- compounds and laydown area details
- highway condition surveys
- methods for managing the site to prevent mud onto the highway
- details of on-site contractor parking.

The CTMP shall be implemented in accordance with the approved details.

Reason: To ensure the safe and efficient operation of the highway network.

8. No phase of the development approved under Condition 4 shall commence until a phase specific Traffic management and construction measures for that parcel has been submitted to, and approved in writing by, the Local Planning Authority. This shall include the following:

- a) Vehicular, pedestrian and cyclist diversion plans
- b) Details of type of traffic management
- c) Details of highway reinstatement
- d) Construction methodology and details
- e) Material and spoil storage

The development shall be implemented in accordance with the approved details.

Reason: To ensure the safe and efficient operation of the highway network.

9. No construction on the pipeline site shall take place outside the hours of 08:30-

18:00 Monday to Friday, 09:00-13:00 on Saturday and no Sunday working, except works on the adopted highway, where alternative arrangements are to be agreed between the Highway Authority and Local Planning Authority, with the exception of specific works that shall have been agreed in writing with the Local Planning Authority in advance and shall include details of the task, the date and duration of works. No works shall take place on Bank or Public Holidays.

Reason: In the interests of the amenities of local residents.

10. No phase of the development approved under Condition 4 shall commence until a revised and updated assessment of potential noise and vibration arising during construction shall be prepared in accordance with BS 5228-1:2009+A1:2014. The assessments shall include likely eligibility for noise insulation or temporary re housing and shall be submitted to and approved in writing by the Local Planning Authority and construction carried out in accordance with the agreed recommendations.

Reason: To minimise potential noise impacts on nearby sensitive receptors.

11. Subject to Condition 10 [ABOVE], no night time working shall take place, except works on the adopted highway, where alternative arrangements are to be agreed between the Highway Authority and Local Planning Authority, unless otherwise in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. Night-time works to be carried out strictly in accordance with the approved scheme.

Reason: To avoid potentially significant impacts of noise and vibration upon residential receptors.

#### Archaeological Evaluation (Written Scheme)

12. No phase of development approved under Condition 4 hereby approved shall commence until an Archaeological Management Plan (AMP) has been submitted to, and approved in writing by, the Local Planning Authority. The AMP will provide appropriately for all aspects of archaeological recording and will serve as an over-arching Written Scheme of Investigation for all archaeological works.

Reason: To record important archaeological features.

#### Archaeological Evaluation (Programme)

13. No development within a Development Phase shall commence until the applicant has submitted, and the Local Planning Authority has approved, a written scheme for the programme of archaeological mitigation within that Development Phase area. The programme for archaeological mitigation shall then be implemented in accordance with the agreed written scheme.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

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. This is a pre-commencement requirement because of the need to secure satisfactory

archaeological protection in advance of each individual Development Phase commencing.

#### Archaeological Evaluation (Recording)

14. No development within a Development Phase shall commence until the applicant has submitted, and the Local Planning Authority has approved in writing, a Written Scheme for recording all historic assets within that Development Phase area. The recording of all historic assets shall then be implemented in accordance with the agreed scheme.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

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. This is a pre-commencement requirement because of the need to secure satisfactory archaeological protection in advance of each individual Development Phase commencing.

#### Archaeological Evaluation (Publishing)

15. Following completion of archaeological fieldwork within a Development Phase, a report shall be produced in accordance with an approved programme including, where appropriate, post-excavation assessment, specialist analysis and reports, publication and public engagement related to that Development Phase area and submitted to the Local Planning Authority.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

Reason - To contribute to the knowledge and understanding of past uses and activities on site by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

#### Landscape

16. Any reserved matters application for layout or landscaping submitted pursuant to Conditions 2 and 4 shall include:
  - a) The submission of a Tree Survey and updated Arboricultural Impact Assessment (including a Tree Constraints Plan), Arboricultural Method Statement and Tree Protection Plan showing the tree or group of trees, the Root Protection Area(s) and the crown spread(s) in relation to the proposed development. All tree root protection areas identified, shall be protected by protection fencing in accordance with BS 5837:2012.
  - b) The approved tree protection measures shall be implemented before any equipment, machinery, or materials are brought on to the site in connection with the works. They shall be retained intact for the duration of the construction works and shall only be removed or altered following completion of that phase.

- c) A landscaping reinstatement scheme for all open parts of the site, where loss occurs due the development, which shall include the planting and maintenance of a number of semi-mature native broad leaf trees (UK grown and sourced in line with current biosecurity guidelines) to be planted in a sustainable location as per the British Standard guidelines. The information shall include:

- i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
- ii) Planting methods, tree pits & guying methods,
- iii) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
- iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
- v) A timetable for implementation of the soft and hard landscaping works.

The scheme of Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed, within 10 years shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To preserve the amenity visual amenity of the locality.

### **Flood risk and drainage**

#### **Contamination**

17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. In line with paragraph 170 of the National Planning Policy Framework.

#### **Flood risk**

18. The development shall be carried out in accordance with the submitted flood risk assessment (ref HTR-ATK-XX-XX-RP-Z-0042, titled A15.2 Flood Risk Assessment Report, compiled by Atkins on behalf of Portsmouth Water Ltd dated 01/09/20) and the mitigation measures it details. These mitigation measures shall be fully implemented prior to operation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed throughout the FRA shall be retained and maintained thereafter

throughout the lifetime of the development.

Reason: • To reduce the risk of flooding to the proposed development and future occupants

- To ensure flood risk off site is not increased as a result of the proposed development in line with paragraph 163 of the National Planning Policy Framework.

19. No phase of the pipeline development approved under Condition 4 shall commence until a detailed scheme, to ensure the development will not increase the risk of flooding, has been submitted to, and approved in writing by, the local planning authority. Specifically, further details should be provided where relevant to that phase including:

- Detailed information on the proposed emergency drawdown discharge structure.
- Detailed information surrounding the proposed upgrading of the culverts, in order to not increase flood risk associated with the Emergency discharge and as detailed in table 4.2 and section 4.17 of the FRA
- Detailed information including the long term maintenance scheduled for the proposed development, including but not limited to the proposed pipeline and culverts.
- Detailed information for the crossing of watercourses where these are proposed.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and its future users. This is in line with paragraph 163 of the National Planning Policy Framework.

20. Prior to construction of the development approved under Condition 4 above, an On-site Emergency Flood Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To ensure that residual flood risks on site are safely managed in accordance with the NPPF.

### **Ecology**

21. No phase of the development approved under Condition 4 shall commence until full details of all ecological mitigation, compensation and enhancement measures (to be informed as necessary by up-to-date survey and assessment) and on-going monitoring of mitigation measures required for each reserved matters application (including both ecological works directly related to that Development Phase reserved matters area and any works associated with that area but lying outside of the boundary of that area) shall be submitted for approval to the Local Planning Authority. Such details shall be in accordance

with the ecological mitigation, compensation and enhancement measures detailed within the Outline Biodiversity Mitigation and Compensation Strategy (ECOSA, September 2020), the Habitats Regulations Assessment (Atkins/Portsmouth Water, September 2020) and the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021. Any such approved measures shall thereafter be implemented in strict accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

22. An Ecological Clerk of Works (ECOW) shall be appointed, to be full time on site during site preparation and clearance and during any works in sensitive areas, and to undertake regular monitoring visits throughout the construction programme.

Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Reason: For the avoidance of doubt and in the interests of proper planning.

#### Appendices:

- (a) Full consultation responses
- (b) Site location plan
- (c) Pipeline location and environmental constraints
  - (A) Full consultation responses
  - (B) Site location plan
  - (C) Pipeline location and Environmental constraints
  - (D) Pipeline trench section
  - (E) Detailed location plan – northern section
  - (F) Discharge location and indicative layout of discharge structures by Riders and Hermitage Streams
  - (G) Detailed location plan – southern section
  - (H) Pipeline railway track section



## **Appendix A Full consultation responses for Pipeline application – APP/20/00991**

### **1.1 County Ecologist**

As you know I have been involved in detailed pre-application discussions with the applicant alongside Natural England and Forestry Commission officers, as well as having attended consultation events with other stakeholder representatives. These discussions have taken place over several years and I have a sound overall knowledge of the site, the scope of ecological studies undertaken, the predicted impacts, and the proposed outline ecological mitigation, compensation and enhancement strategy. The application is accompanied by detailed ecological information. I have carefully reviewed the Environmental Statement Chapter 2 Biodiversity (Atkins/Portsmouth Water, September 2020) and each of the habitat- and species-specific technical reports and appendices (ECOSA, various dates). I have reviewed the Outline Biodiversity Mitigation and Compensation Strategy (ECOSA, September 2020) and the Habitats Regulations Assessment (Atkins/Portsmouth Water, September 2020). In order to be concise I have attempted to comment in detail only on the most significant issues as I see them. The views of Natural England and the Environment Agency are critical in judging the overall acceptability of the scheme as proposed (in that there are separate licensing regimes for impacts to certain species and the water environment) and I may of course need to provide updated or amended comments in light of advice from other statutory consultees. I also recognise that there are likely to be changes to details of ecological impacts and mitigation measures as a result of other consultee comments, and that for a project of such scale there will be amendments required as the project progresses.

#### **Scope of ecological surveys**

Ecological assessments at the site have taken place over a considerable period of time and have at times been extremely focussed. I have no concerns over the scope, scale and standard of ecological assessments and I acknowledge the significant effort involved in assessing the ecological baseline over many years using expert technical advice. The robust baseline allows a greater level of certainty with respect to predicted impacts and is used to shape the overall ecological mitigation, compensation and enhancement package. I also acknowledge the applicant's willingness to undertake updating or new surveys at the request of key consultees, and the open sharing of information with me and others over several years.

#### **Comment on overall impacts**

A project of this scale cannot be realised without significant ecological impacts, and it is clear that there are substantial implications for the existing natural environment of Havant Thicket: the proposals would require the permanent loss of irreplaceable habitats such as ancient woodland and veteran/notable trees as well as substantial losses of other woodland, grassland, scrub and seasonal watercourses and other waterbodies. Impacts to habitats are summarised as follows: c.13 Ha of semi-natural woodland to be removed, c. 18 mature veteran trees to be removed, c. 29 scattered broadleaved trees to be removed, c.139 Ha of grassland removed, and impacts to c.3.7km of ephemeral stream habitat. The surveyed area supports a range of protected species, including nationally-rare species of bat as well as badger, hazel dormouse, common reptiles, great crested newt, breeding birds and notable invertebrate species. The profound change of land-use would result in significant impacts to many of these species. Many of the impacts cannot be directly compensated on a like-for-like basis and there is an acknowledgement that mitigation, compensation and enhancement measures must be viewed as a whole package, many of the benefits of which may not be realised for many years, just as many of the impacts will be permanent or of long duration. Given the scale of the proposals there is necessarily a reliance on off-site measures which primarily entail woodland management interventions to enhance habitat. Some of the mitigation measures for certain species – bats and hazel dormice in particular – will require

intensive hands-on interventions and long-term commitment from the applicant to ensure that species are protected in accordance with any European Protected Species licence conditions.

In summary, my overall conclusion is that despite very obvious significant impacts to the current nature conservation value of the site, the scheme as proposed is likely to deliver substantial biodiversity value in the medium-to-long term, albeit in a different form to the habitats that currently exist. The permanent loss of ancient woodland and veteran trees is essentially impossible to mitigate and so there must be a case made for overriding reasons (which are beyond the scope of my advice). These substantial losses can be mitigated to a degree by the proposed new woodland planting (linking Havant Thicket woodland and Staunton Country Park) and the extensive habitat creation and management works proposed for surrounding areas that will improve the ecological value of woodland, grassland and linear watercourse habitats for a range of species over time: there is no doubt that substantial biodiversity gains can be made through better management of the surrounding woodland.

Further details have been provided of proposed off-site mitigation, compensation and enhancement measures. These details are contained within the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021) as well as the Technical Note – Article 4.7 WFD Short-listing methodology (Atkins, March 2021) and accompanying Letter to Portsmouth Water - Havant Thicket Winter Storage Reservoir – Water Framework Directive (WFD) Article 4.7 (Environment Agency, 18 February 2021). These matters are discussed below.

### Bats

Extensive bat survey works over a period of ten years has resulted in a robust understanding of the bat populations of the site and surrounding area. Data collected from the site and adjacent areas, as well as those collected for other development sites in the wider landscape, provide a very useful overview of the bat assemblage in context. Analysis of these data provide insights into seasonal trends and activity by location. Detailed discussion and interpretation of the results is included.

At least thirteen bat species have been recorded within the surveyed area. The most significant finding is the presence of the very rare Bechstein's bat, which has been shown to roost on site in small numbers (although not during the most recent surveys) and which uses the site for foraging, commuting and presumably social purposes. The application site clearly forms part of a much larger area of habitat used by the local Bechstein's bat population, and there is a likelihood that the south-east Hampshire population is functionally linked to larger populations in West Sussex: indeed, a link has been proven for the common and widespread Natterer's bat. Following discussion with Natural England, I agree with the applicant's assessment that there is a likely (but so far unproven) functional link between Bechstein's bat populations in this area of south-east Hampshire and larger populations associated with the Singleton & Cocking Tunnels Special Area of Conservation in West Sussex, approximately 15km east of the application site. Using a precautionary approach it is prudent to assume functional linkage between bat populations in these two areas and that impacts to bats and bat habitat within the application site would affect SAC supporting habitat.

I note the detailed analysis of data which appears to show that the application site itself does not support maternity roosts and that individual Bechstein's bats used the site for only a small percentage of time compared with off-site areas. Nevertheless, the importance of the site for this species is acknowledged. In terms of roosting bats, the site has been shown to support brown-long eared bat, Natterer's bat and Bechstein's bat. It is recognised that given the presence of woodland and trees on site it is highly likely that other bat species will roost also, and that bats continually change their roosting locations. The proposal will result in the

loss of substantial areas of bat habitat in the form of woodland, trees and open grassland and will remove numerous trees with bat roosting potential.

Impacts to bat species will, at least in the short-term, be substantial due to woodland and grassland loss. In the longer term, the reservoir site (the open water, new wetland and grassland embankments) will offer suitable foraging habitat for a range of bat species. The proposed woodland enhancements will also offer new opportunities for bat species, as will the programme of roosting box installation (natural tree roost opportunities being generally scarce within surrounding forestry woodland and of course being reduced due to the loss of the Avenue). The proposed funding scheme should be focussed on securing meaningful landscape-level enhancements for bats such as reconnecting habitats; details of these can be provided at a later stage and their delivery should be a key indicator of mitigation success.

I understand that the applicant has been discussing licensing matters with Natural England specialists and that a bespoke approach to licensing is required. In terms of the LPA's judgement on the Habitats Regulations derogation tests, in recognition of the exceptional nature of this project I am willing to accept that the favourable conservation status of bats can be maintained if the proposed compensation and enhancement measures can be delivered as proposed: the use of soft-felling techniques, the reuse of tree limbs with roost features, and the installation of bat roosting boxes in the wider landscape are all suitable methods of mitigation. This very much depends on the delivery of meaningful off-site improvements that will benefit the same bat population. On the deliverability of landscape-scale mitigation, compensation and enhancement measures for bats I have provided further comment below.

Due to the exceptional nature of this project there is an unavoidable degree of uncertainty over the efficacy of proposed compensatory and enhancement measures. The new woodland plantings at Gipsies and Deerslaughter Plains (already completed) provides useful linkage between areas of woodland habitat but will not approach a comparable condition to the lost habitat for some decades although their function as a habitat corridor/foraging area in the coming years is acknowledged. In essence, lost habitat is not being directly replaced (certainly not in the short term) but rather the carrying capacity/suitability of existing habitat is being enhanced through a range of measures. Aside from direct comparisons of area measurements it is not really possible to robustly equate areas of loss to areas of compensation/enhancement in a qualitative manner: the proposed areas of enhancement far exceed those of impact and so one must assume that there would be a beneficial effect overall. The whole package of on- and off-site mitigation, compensation and enhancement measures together does provide for a robust framework

This development will affect bats, European Protected Species (EPS) which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

Will the development result in a breach of the EU Directive?

Yes, unmitigated, the development has potential to result in harm to individual bats and result in impacts to the favourable conservation status of bat species locally.

Is the development unlikely to be licensed?

An EPS licence can only be granted if the development proposal is able to meet three tests:

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e))
2. there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and
3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).

It is for you as the case officer to assess the proposals against the first two tests – you may wish to ask for further information from the applicant. In order to assess the development against the third test, sufficient details must be available to show how killing/injury/disturbance of bats will be avoided and how any loss or damage to habitat will be compensated. In this case, I consider that sufficient information has been provided to assess impacts to bat populations. In terms of maintaining the favourable conservation status of bat species, the proposed mitigation, compensation and enhancement measures offer a comprehensive package of measures to avoid direct harm to roosting bats, to mitigate the impacts of habitat removal, to provide enhanced roosting opportunities on- and off-site and to provide substantial long-term landscape-scale habitat enhancements. This is an exceptional proposal and a bespoke approach is required. The application is supported by extremely detailed information on bats and the applicant has engaged in detailed discussions with Natural England licensing. On this basis I am confident that the favourable conservation status of bats overall can be maintained at the population level. As detailed below, I would recommend that full updated details of all bat mitigation, compensation and enhancement measures are provided alongside future applications for each phase of development.

#### Hazel dormouse

A population of hazel dormice is present, inhabiting woodland and scrub areas throughout the site. This is not surprising as the species is relatively widespread throughout Hampshire. The proposals will remove substantial areas of dormouse habitat and have the potential to result in harm to individual dormice and the severance and fragmentation of dormouse populations. Mitigation includes standard two-phase habitat removal coupled with the capture, holding and soft-release of animals within enhanced habitat outside the site boundary. This is the only realistic option to avoid direct harm to dormice and acceptable in principle. My main concern would be the security of any animal holding pens at this site: the high levels of antisocial behaviour means that damage to pens and animals within is a clear risk.

This development will affect hazel dormice, a European Protected Species (EPS) which receives strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

In this case, I consider that sufficient information has been provided to assess impacts to hazel dormice. In terms of maintaining the favourable conservation status of this species, the proposed mitigation, compensation and enhancement measures offer a comprehensive

package of measures to avoid direct harm to dormice, to mitigate the impacts of habitat removal, and to provide long-term landscape-scale habitat enhancements. The applicant has engaged in detailed discussions with Natural England licensing. On this basis I am confident that the favourable conservation status of dormice can be maintained at the population level. As detailed below, I would recommend that full updated details of all dormouse mitigation, compensation and enhancement measures are provided alongside future applications for each phase of development.

### Birds

The main impacts will be from the loss of woodland and grassland habitat. The loss of grassland will result in the loss of breeding skylark and meadow pipit habitat. Lapwing used to breed more numerously at the site but numbers have dropped substantially in recent years, and the proposals would impact the single territory recorded in 2018. Other species impacted include woodland, scrub and grassland species such as song thrush, dunnoek, linnet, warblers and tits. Mitigation will entail the removal of suitable habitat outside the nesting season. In terms of compensatory habitat, the new woodland/scrub plantings, the new wetland and grassland and the off-site woodland enhancements will provide new opportunities for a range of bird species, albeit mostly different species.

### Reptiles

The grassland and scrub/woodland edge habitats across the site support all four common reptile species in good numbers. A substantial area of reptile habitat is to be impacted, requiring the capture and removal of potentially hundreds of animals from the site. Mitigation measures comprise capture and translocation of animals to enhanced areas within adjacent woodland. This is acceptable in principle, although I would not underestimate the practical difficulties in capturing and removing so many animals from the construction site.

### Amphibians

Great crested newts (GCN) occur within ponds in the surrounding area. I would not consider the proposals to result in significant impacts to this species and am content with the proposed mitigation, compensation and enhancement measures.

This development will affect GCN, a European Protected Species (EPS) which receives strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

In this case, I consider that sufficient information has been provided to assess impacts to GCN. In terms of maintaining the favourable conservation status of this species, the proposed mitigation, compensation and enhancement measures offer a comprehensive package of measures to avoid direct harm to GCN, to mitigate the impacts of habitat removal, and to provide long-term habitat enhancements. The applicant has engaged in detailed discussions with Natural England licensing. On this basis I am confident that the favourable conservation status of GCN can be maintained at the population level. As detailed below, I would recommend that full updated details of all GCN mitigation, compensation and enhancement measures are provided alongside future applications for each phase of development.

### Invertebrates

The loss of extensive areas of woodland, scrub and grassland habitat will undoubtedly impact various invertebrate species. The loss of a significant length of seasonal stream

habitat will result in impacts to some rare/notable aquatic invertebrate species. Mitigation for terrestrial invertebrates includes the overall woodland enhancements and it can be expected that the new wetland area will support invertebrate populations. In terms of mitigating impacts to the seasonal streams, I understand that discussions between the applicant and the Environment Agency has resulted in a scheme of off-site river restoration measures, entailing in-channel and riparian enhancements.

#### Overall comments on protected and notable species

There will be substantial impacts to a suite of protected and notable species, resulting in the loss of a considerable extent of semi-natural habitat. Given the scale and timescale of impacts there is essentially no scope for retention of meaningful habitat within the site. The bulk of mitigation is therefore related to salvage of individual animals from the construction footprint and the timing of operations to minimise impacts. The removal and translocation of animals such as hazel dormice and common reptile species is reliant on the availability of suitable receptor habitat within adjacent land.

I am content that species capture and translocation works will be undertaken in an acceptable way consistent with best-practice guidelines.

#### Overall mitigation strategy

The proposed outline mitigation and compensation strategy relies on several strands: the removal of certain protected/notable species from within the construction footprint; the use of habitat manipulation techniques to render habitat less suitable prior to construction; a commitment to long-term habitat management works in surrounding land; the use of artificial nesting and roost boxes; a commitment to substantial new grassland and pasture-woodland habitats off-site; the creation of new habitats within the developed site; enhancements to retained watercourses and waterbodies; and the establishment of a fund for ecological improvements.

I acknowledge the large scope and scale of the proposed mitigation and compensation measures and the efforts employed to date in ensuring that key stakeholders have been involved in their scope and design. Within the reservoir site itself the proposed land-use changes are so profound that it is essentially impossible to make meaningful comparative judgements between losses and gains that take full account of impacts to habitats, species and the local ecological network. Whilst recognising the significant ecological impacts arising from the proposal, there is no doubt, in my opinion, that there would be a significant biodiversity gain from a wetland habitat on such a vast scale and I very much welcome the proposed dedicated wetland habitat at the northern shore of the site. The wetland (containing open water, marsh, wet woodland, exposed muds and wet/damp grassland) will provide a valuable habitat for many species that do not currently occur as well as for many of the species already present. The benefits of the new reservoir and dedicated wetland area should be felt within the nearby designated Solent coastal habitats: it can be expected that bird species associated with the Solent SPAs (especially waders, wildfowl and terns) will utilise the reservoir and wetland. The additional habitat may assist in mitigating the effects of recreational pressure on the Solent intertidal and terrestrial habitats. The expected reduction in nutrient input to the Solent will also be of overall benefit.

The extensive enhancements to woodland habitat within the immediate surrounds and further afield are ambitious and would almost certainly provide benefits for a range of species associated with woodland, scrub and edge habitats. The delivery of enhancements is dependent upon a long-term commitment and partnership working with adjacent landowners. Woodland management operations should increase the availability of open areas such as rides and track junctions and also rotational coppice, suiting species such as invertebrates, birds and hazel dormouse. Post-construction, the reservoir embankments will provide valuable grassland habitat that will likely be of greater species-richness than the

existing site. This habitat will be attractive to ground-nesting bird species that are to be impacted by the proposed works.

The site as proposed would undoubtedly be a significant visitor attraction and presents many opportunities for promoting the natural environment. The proposed visitor centre should act as a hub for visitors and is an excellent opportunity for public engagement and interpretation: I do not personally see an issue with this being situated at the water's edge and consider that this provides an excellent opportunity to engage the public as happens at many large wetland sites. It is hoped that public engagement activities will take place in future years. The landscaping areas surrounding the visitor centre offer an opportunity for further wildlife-rich habitat and I would expect that every opportunity is taken to embed biodiversity within the more formal areas of the site through the use of wildflower-rich grassland throughout as well as the provision of locally-relevant habitats such as acid grassland/heathland/bare ground.

Overall, I am supportive of the outline proposals for biodiversity mitigation, compensation and enhancement. Following consultation responses from myself and Natural England, further information has been provided on the scope, location, timing and delivery of off-site measures. These are contained in the submitted Implementation Plan and the four Action Plans contained within. In summary, proposed off-site mitigation, compensation and enhancement measures include:

- Creation of 60 Ha of pasture woodland and 20 Ha of neutral grassland.
- 72 Ha of woodland enhancement within Southleigh Forest.
- 5.5km of watercourse enhancement.
- £40,000 per annum for 30 years from 2029 towards Capital Grants Scheme.

The location for the creation of the pasture woodland and neutral grassland totalling c.80 Ha is yet to be confirmed, and it is stated that several options are being reviewed across the local landscape. I understand that one option entails woodland situated to the east of the application site. The scope of proposed works is detailed, with the stated purpose of enhancing the local ecological network by creating and enhancing woodland linkages. There is clearly work to do in determining the location and extent of these proposals but I am supportive of this measure.

Southleigh Forest is owned by Portsmouth Water. Much of the woodland is classified as Plantation on Ancient Woodland (PAW) and it is proposed to actively manage these areas, alongside areas of non-plantation ancient woodland, to improve habitat quality. A management plan is being devised by the Hampshire & Isle of Wight Wildlife Trust and will be funded by Portsmouth Water. The plan is being developed currently and will be subject to review and comment by key consultees.

A package of proposed enhancement works to various ephemeral watercourses has been agreed in principle with the Environment Agency's part of the Article 4.7 Water Framework Directive. These measures will provide enhancements to headwater streams north of the proposed reservoir as well as to several watercourses within the wider landscape to the south. The proposed measures include channel restoration of e.g. profile, banks, channel substrate; on-line ponds; improvements to other pond habitats; areas of plant translocation. It is the view of the EA that, subject to legal agreement, these measures will ensure that 5.5km of watercourses are enhanced and is sufficient to compensate for the identified impacts.

The proposed Capital Grants Scheme will provide c. £40,000 per annum for 30 years from 2029 onwards in order to deliver projects to enhance habitats in the local landscape.. An

outline list of project objectives has been provided, focussing on enhancing the local ecological network, enhancing knowledge of protected species distribution and status, and providing equipment for local knowledge gathering. It is proposed to establish a steering group to assess potential projects and monitor the scheme.

Overall, I welcome the submission of the Implementation Plan and Action Plans. These provide a useful level of further detail to demonstrate the scope of the proposed works and methods of delivery. I do acknowledge that there is uncertainty over the exact location and nature of some aspects but consider that these further details can be provided through future planning submissions and secured through appropriate legal agreements. I would suggest that, subject to the satisfaction of other key consultees, the submitted outline details form the basis for planning conditions. These should secure further full details for each recognised phase of works, the effect of which should be that works cannot proceed until all details are agreed.

The key issue is to ensure that for each phase of development there is a clear strategy for ecological mitigation, compensation and enhancement. The strategy should ideally be contained within a single document, of a consistent form, providing full details of the phase of development works and the ecological measures that will address any identified impacts. In recognition of the mix of on- and off-site measures, and the likely complex timing of delivery (with off-site measures being delivered in a rolling programme at various locations and times), any condition wording should allow for flexibility. An essential component is to have a 'running total' of mitigation, compensation and enhancement delivery in order that the applicant, LPA and other stakeholders can keep track of what is being delivered, where and by whom. I would strongly recommend the use of tabulated information and spatially presented data.

## **1.2 Environment Agency**

The increase in water supply from the building of the reservoir will enable a bulk supply of water to be supplied to Southern Water. They have a forecast deficit in water in the Hampshire area due to required reductions on their abstraction licences on the heavily designated Rivers Test and Itchen. Additional water made available from this scheme will help meet this forecast deficit. The scheme is already included in both Portsmouth and Southern Water's Water Resource Management Plans.

We are now in a position to confirm that we have no objection to the planning proposals as submitted subject to a number of conditions and/or legal agreements on a variety of issues including flood risk and the Water Framework Directive. Please see our detailed comments below in relation to each area of our remit and the requirements that we are seeking in order to ensure that the project is delivered in a way that protects and enhances the environment.

### **Water Framework Directive (WFD)**

The environmental objectives of the WFD are set out in Article 4 of the Directive and relate to ensuring the continued protection of the condition of all waterbodies and the development of plans to deliver measures to improve failing water bodies to a good condition (or better). The two key objectives against which new developments or schemes should be assessed are;

- No deterioration of status (or potential) for surface and groundwaters; and
- Achievement of good status (or potential) by 2021 or 2027, for waterbodies currently failing to achieve this status or potential.

WFD compliance assessments for new developments and schemes must demonstrate that the proposals will not result in the deterioration in status (or potential) of any water body.



Where a waterbody is at a status less than good (or potential), it must be demonstrated that the implementation of the proposals will not prevent the water body from meeting good status (or potential) in the future.

Following the completion of a WFD compliance assessment, Havant Thicket Reservoir was deemed to have the potential to cause deterioration of the impacted water body of the Riders Lane Stream which is part of the Hermitage Stream water body. The main area of concern relates to the construction of the embankment and reservoir footprint. The resulting loss of habitat is significant with the direct loss of 3.7km of headwater habitat within the Riders Lane Stream. The length of watercourse lost will account for approximately 42% of headwaters and 18% of the entire length of watercourse within the water body.

The WFD uses the term "quality elements" to refer to the different indicators of ecological quality comprising its ecological status classification schemes. The quality elements used to assess ecological status are: biological, chemical and physicochemical, and hydromorphological quality elements.

The assessment identified that both biological and hydromorphological WFD quality elements were at risk of deterioration. Specifically invertebrates, macrophytes phyto-benthos and hydromorphology. A deterioration of any one, or more quality element can cause an overall deterioration and lowering of class status at the water body scale, this is contrary to the objectives of WFD.

In a situation where there remains a potential for deterioration, even after including embedded mitigation, the scheme can only go forward if granted a derogation under Article 4.7 of the WFD. To do this, evidence is required to meet a series of "Tests". This information is set out in document reference - HTR-ATK-XX-XX-RP-2-0067.

We attended a number of workshops with Portsmouth Water and their consultants to determine the evidence requirements to meet the tests of Article 4.7, these being:

- a) All practicable steps are to be taken to mitigate the adverse impacts on the water body concerned;
- b) the reasons for modifications or alterations are specifically set out and explained in the RBMP;
- c) The reasons for those modifications or alterations are of overriding public interest and/or the benefits to the environment and to society of achieving the objectives set are outweighed by the benefits of the new modifications or alterations to human health, to the maintenance of human safety or to sustainable development, and;
- d) The beneficial objectives served by those modifications or alterations of the water body cannot for reasons of technical feasibility or disproportionate cost be achieved by other means, which are a significantly better environmental option.

The WFD Article 4.7 assessment (document reference - HTR-ATK-XX-XX-RP-2-0067) describes the outcome of this process. We have worked with Portsmouth Water to identify a long list of practicable measures that would be appropriate to fulfil Article 4.7 test (a). We have agreed that that this long list was sufficient for the purposes of fulfilling the Article 4.7 derogation. We reviewed the information contained within WFD Article 4.7 assessment which outlines the reasoning for the potential non-compliance under the WFD and details the necessary justification to meet each of the tests required under the derogation process. We are satisfied that sufficient evidence has been provided to meet the tests and can therefore be used to inform the decisions of the relevant Local Planning Authorities (Havant Borough Council and East Hampshire District Council) when deciding the outcome of the submitted planning applications.

Following the above process, a shortlisting exercise was undertaken to reduce the list from

the full list of practicable measures to a short list of deliverable options which could be used to define the level of mitigation and compensation required for the watercourses impacted by the scheme. We have had ongoing dialogue with regard to this process which has resulted in a short list of deliverable measures being derived. We have confirmed that we are content that 'package 2' (as laid out in document reference HTR-ATK-XX-XX-PP-T-0003 Implementation Plan for Off Site Mitigation and Compensation Appendix 3) includes sufficient mitigation and compensation for the scheme. We believe that this package provides sufficient length of watercourse improvement (5.5km) and an appropriate balance of measures to satisfy both the Article 4.7 requirements and also Biodiversity Net Gain commitments, which is discussed below.

In agreeing the package of mitigation and compensation with Portsmouth Water, it has been critical to identify measures that are both environmentally sound and appropriate for the scale of loss that will result from the development. The impacts that have been identified cannot be readily mitigated or compensated for, due to the distinctiveness of the habitat. Meaning the habitat to be lost cannot be recreated. Therefore, we have sought a package of measures that once implemented will provide a joined up network of quality habitat improvements that will mitigate and compensate against the high value conservation habitat lost from the scheme.

Therefore, the proposal will only be acceptable to us and legally compliant under the Water Framework Directive once the package of measures has been secured. We advise that a legal agreement should be put in place to secure the delivery of the mitigation and compensation package proposed by the applicant.

The agreed package, for the water environment includes both on-site and off-site mitigation, and compensation totalling up to 5.5km of watercourse improvement. The on-site mitigation and compensation plan (approximately 1.57km) concentrates efforts in the headwater streams upstream of the reservoir. Off-site mitigation and compensation is spread across the wider catchment and includes measures on other reaches of the Riders Lane Stream (part of the Lake Stream) (approximately 0.45km), Hermitage Stream (approximately 2.99km) and Park Lane Stream (approximately 0.47km). Improvements along Lake Stream will provide mitigation for distinct species lost under the Scheme's footprint.

We agree with the principles set out in document HTR-ATK-XX-XX-PP-T-0003. A full implementation plan will need to be agreed, which we want to be consulted on. A robust governance process for timely implementation of the mitigation and compensation should also be put in place. This must be secured through the planning permission process.

The package of measures includes restoration of the Hermitage Stream. The measures proposed are based upon feasibility and design work undertaken jointly by Havant Borough Council and Environment Agency in 2013. We shared with Portsmouth Water all the information that was compiled at the time, including drawings and costings. The mitigation and compensation measures agreed as part of the water environment package should be in keeping with the design work previously undertaken, including the removal of concrete bed and banks.

Portsmouth Water have provided approximate costs for the package of measures detailed in a technical note dated 11/03/21 (Version 3). We do not consider the cost presented in this paper as a cost cap. The figure presented is based upon our costings from 2013 (which are now somewhat dated) and the design team's judgment. We believe the costs presented are realistic but require further assessment.

Portsmouth Water will be responsible for delivering the quantum of mitigation and compensation agreed. However, the company may choose to work with a delivery partner to

achieve cost effectiveness. We are not opposed in principle to agreeing a cost cap for the water environment package, but this will need further discussion.

Portsmouth water will be responsible for delivery of the mitigation and compensation agreed. If the identified measures are shown to be unfeasible, additional measures will need to be identified that provide the same if not greater length of water watercourse improvement and contribution to the environment.

Document HTR-ATK-XX-XX-PP-T-0003 sets out the broad timescale for the delivery of the water environment mitigation and compensation package. Whilst we support this in principle, we strongly recommend that as part of any legal agreement a detailed delivery plan is agreed, which we would want to be consulted on.

Portsmouth Water have confirmed via the WFD assessment processes that neither the construction of the pipeline or emergency drawdown will preclude future restoration of the Hermitage Stream, which is a fundamental part of their Water Environment mitigation and compensation package. Consideration should be given to aligning the timing of the pipeline construction with that of the compensation measures identified for the Hermitage stream.

### Biodiversity

The development will result in the loss of 3.7km of watercourse as described above, as well as other wetland habitats. This scale of loss is significant and without mitigation and/or compensation would be unacceptable.

Appendix A9.3 Aquatic Ecology (document reference: HTR-ATK-ZZ-ZZ-RP-Z-0147) has shown that the watercourses to be impacted by the development support rare and nationally scarce aquatic invertebrates. The specialist taxa that have been identified are indicative of groundwater supply and ephemeral flow conditions. This form of headwater stream habitat is of high conservation value and a Priority Habitat.

The Environmental Statement (document reference HTR-ATK-ZZ-ZZ-RP-Z-0109) acknowledges the value of the streams that will be lost. "9.150. Given the ephemeral nature of the intermittent headwaters of Riders Lane Stream, as well as their position within a more rural setting in an otherwise predominantly urban catchment, these watercourses are considered to be intrinsically important. They provide a unique habitat that acts to improve aquatic species diversity and functional habitat resilience as a potential primary colonisation source for the catchment".

As described above, this habitat and therefore the species which are supported cannot be readily mitigated or compensated for, as it's a habitat type that cannot be recreated. This is why ensuring a package of mitigation and compensation at appropriate scale for the loss is critical.

Section 3 of the Biodiversity Net Gain for Rivers assessment describes what is believed to be inconsistencies with the Biodiversity Metric 2.0., and their influences on the calculations. We acknowledge that the Defra Biodiversity Metric is still evolving and the uncertainties this may have caused for the assessment. Section 3 identifies three main areas of concern. The distinctiveness score, time to target and the rationale for calculating units based on river length, rather than area. A Biodiversity Metric 3.0 is currently in preparation and is due for release soon. We feel that the updated metric addresses the points raised in relation to distinctiveness and time to target. Our understanding is that the updated metric will continue to use river length and not area. This recognises the importance of river habitat and processes that underpin their functionality. We believe whilst the bespoke package of measures deviates from the metric, it does however provide measures that not only fulfil the requirements of the Water Framework Directive but provides significant gains for the environment.

Further impacts to these watercourses would continue through subsequent construction phases, including borrow pit excavation, embankment construction and reservoir filling, until these streams are fully lost under the footprint of the reservoir". What is not clear is how the flows (including sediment management/pollution prevention) to the downstream watercourse will be managed during construction, this will need to be addressed at detailed design.

### Flood Risk

We have reviewed the FRA Model, the breach model, the emergency discharge modelling and the impact of the reservoir on the flood risk. The modelling has been signed off through a review process which confirms that the techniques and assumptions used are satisfactory.

The proposed development will however only meet the National Planning Policy Framework's requirements in relation to flood risk subject to relevant planning conditions.

We can provide the following information on the characteristics of flooding at this site to help with your decision:

The FRA states that the requirements of the Reservoirs Act 1975, and proposed mitigation measures in place (including but not limited to the emergency discharge strategy, the regular maintenance and inspection of the reservoir) make it highly unlikely that a breach will occur. Regardless, the breach and associated failure of the embankment has been modelled as required by the Reservoirs Act 1975. Figure 8.1 of the Flood Risk Assessment indicates the impact of a breach event on the nearby communities downstream of the reservoir.

We have reviewed the associated flood risk model of the Reservoir, including the model generated to help assess and inform the FRA and Emergency Discharge. As well as this proposed modelling, we have also reviewed the proposed Breach Model, separately from the planning application. Following our reviews of the models, we are satisfied with the techniques used and subsequently the accuracy of the conclusions and assessment of the flood risk that all models generate.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the PPG.

### Water Quality

Ongoing discussion with the Applicants and their consultants resulted in an agreed approach to establishing a baseline and undertaking an impact assessment for hydrology and water quality. The water quality model applied to this project was developed through extensive consultation with us and we can confirm that the resulting model is a suitable basis for modelling the water quality impacts of the projects. The bespoke model has provided a useful quantitative element for the assessment of impacts on water quality. Overall, the results of the modelling and analysis show the water quality in the reservoir will be good, there will be a low to moderate risk to water treatment from algal growth. Impacts on the downstream watercourses however are positive with a clear improvement in water quality predicted due to the quality of the Havant and Bedhampton Spring Water being of better quality than the existing water in the Hermitage Stream.

### Groundwater Protection

The majority of the works associated with this development are on greenfield locations And underlain by unproductive strata or secondary aquifers. As such there are not likely to be many groundwater quality/contamination issues with the proposed development. The Bedhampton and Havant springs Source protection zone would occur at depth beneath the site. This source provides a strategically important water supply, including for the proposed reservoir, so should be suitably protected.

### **1.3 Highway Authority**

A separate application has been made in relation to the laying of the pipeline between Bedhampton and the proposed Havant Thicket Reservoir under application APP/20/00990. These works are linked to the wider application for the reservoir construction (APP/20/00990) and some matters between the applications overlap. The responses in relation to highway matters should be read together. Some elements of the below are repeated within the Highway Authority's previous response, however in order to provide continuity and clarity it has been stated again where necessary.

#### **Pipeline Location**

The route of the pipeline is proposed on drawing number HTR-ATK-PI-BR-DR-C-0009 and includes sections, circa 2km of the 4.5km length, which are proposed to be laid within the public highway. The following roads are included within the proposed route:

- Middle Park Way
- High Lawn Way
- Dunsbury Way
- Wllisfield Road
- Riders Lane
- Highclere Avenue
- Ewhurst Close
- Purbrook Way
- Barncroft Way
- Fraser Road
- North Street
- Bedhampton Road
- Brusnwick Gardens

At this stage the detailed design of the pipeline is unknown along with the proposed construction methodology. The application sets out a broad redline boundary for the proposed works only. The details will need to be appropriately conditioned to ensure the Highway Authority are able to agree the design/location of any works within the Highway and ensure there are no adverse impacts on any highway infrastructure.

It is forecast that works to complete the pipeline will be undertaken within 2023 and 2026. Construction of the pipeline will be undertaken in 3 periods so construction on the highway may not be continuous across the 3 years.

The Highway Authority previously requested that further information is required in order to determine that this application will not result in significant harm on the local highway network. This including the following details to be provided.

- A high-level programme of works and timetable should be submitted
- Key junctions on the local road network to be assessed for the worse case scenario of traffic impact

- Assessment of diversion of traffic during road closures/traffic management
- Framework Traffic Management Strategy showing, but not limited to, the following; Proposed diversion routes, traffic management plans, indicative programme of works, appropriate mitigation measures to minimise the impact of the works on the highway
- Personal Injury Accident data to be reviewed based on the proposed road closures/diversions
- Restricting the use of road space near existing schools
- Diversion plans for cyclists where appropriate when road closures are required.
- Framework Construction Traffic Management Plan
- Highway reinstatement proposals
- Highway tree impact assessment
- Updated construction detail plan

The applicant and the Highway Authority has been engaging in discussion over the above and a Framework Construction Traffic Management Plan has been provided for both the construction of the reservoir and the construction of the pipeline. The applicant has stated that due to the current work undertaken to date, some of the requested information cannot be provided until further detailed work is undertaken and a design and build contractor is on board, which will be appointed if planning permission is approved by the Local Planning Authority.

### **Construction Traffic Management Plan**

In order to address a number of the concerns above a Framework Construction Traffic Management Plan has been submitted by the applicant which covers both the reservoir construction and pipeline elements of the development. The Framework CTMP outlines measures which aim to reduce the impact that associated construction vehicles will have on the local highway network. Should the Local Planning Authority be minded to approve this application, a Construction Traffic Management Plan should be secured through condition which provides further detailed plans/information on the measures within the Framework CTMP and for the full CTMP to be in accordance with the Framework CTMP.

It should be noted that should any permanent highway alterations as a result of the pipeline construction may result in the applicant needing to enter into a Section 278 legal agreement.

The applicant has set out in the Framework Construction Traffic Management Plan for the pipeline element that the full CTMP will include the following;

- A Full CTMP for any phase of works area;
- Detailed programme and duration of construction;
- Restrictions of the number construction personnel per a day to a maximum of 125 workers. The CTMP secured restricting travel arrangements to be outside of peak hours and further mitigation where necessary;
- Detail of any alterations to the highway, including temporary and / or permanent, to enable construction and to obtain the necessary highway approvals for any changes;
- Details of the number of construction and delivery vehicles permitted to utilise the southern access fixed at up to 30 HGV movements per day and 6 per hour.
- Traffic management details of the pipeline installation;
- Details of any additional compounds and laydown area which are not located within the reservoir site
- Highway condition surveys of all construction traffic routes;
- Wheel washing facilities for managing the site to prevent mud onto the highway and road sweepers to be utilised if required;

- Details of onsite contractor parking;
- Commitment to avoid school term times where the pipeline runs close to school

The Highway Authority is satisfied that through securing the Framework CTMP and the obligation for the applicant to provide a Full CTMP in accordance with the Framework CTMP prior to any works phase, any impact on the local road network can be suitably mitigated against. This will compliment the formal highway licences and permits the applicant will need to apply for when constructing the pipeline under the highway. Traffic Management plans will need to be provided, which should include pedestrian, cycling and vehicular diversions for every phase of works undertaken. The details of the CTMP are further covered in the Highway Authority's reservoir response.

The applicant has included in Appendix A of the Framework CTMP, a table of proposed road closures and diversion routes. The Highway Authority has undertaken a high level review and only has a concern over the Dunsbury Way closure and the diversion on to Riders Lane. Whilst this is not a matter for the Local Planning Authority to consider at this stage, it is a note to the applicant to revisit the diversion routing and the Highway Authority welcomes continued engagement with the applicant to ensure traffic management and diversions are suitable agreed in a timely manner.

### **Highway Trees**

The Highway Authority cannot find any additional Arboricultural information on the impact and potential loss/damage to highway trees as part of this application, however this is in part due to the pipeline route not being finalised at this time. In order to progress this matter, the Highway Authority is willing to secure the need for an Arboricultural Method Statement undertaken by a qualified Arboriculturist to be provided, specifically for the impact on highway trees, when the pipeline route is finalised. This should include the following:

- Arboricultural information in line with BS5837:2012 Trees in relation to demolition, design and construction
- Tree survey data indicating any trees growing on HCC land
- Tree constraints plan (TCP) showing how trees have been considered in the design proposal to minimise impact on important trees
- Arboricultural Impact Assessment (AIA) including a clear description of all trees lost or pruned for the proposal
- Tree Protection Plan (TPP) showing how retained trees will be safeguarded through the proposal and construction phase.
- Where county-owned trees have to be removed a CAVAT (Capital Asset Valuation for Amenity Trees) system and workings for this valuation

The Section 106 legal agreement will secure the above and the applicant will need to agree that no trees will be removed/pruned/cut until a CAVAT assessment has been agreed with the Highway Authority and the applicant will pay any mitigation costing should any highway trees need to be felled. A commitment to pay any required CAVAT payments must be secured within the S106 agreement. The Highway Authority welcome engagement throughout the design process to determine tree ownership and requirements for any tree works. No works can be undertaken to any highway tree without the required method statement and agreement from the Highway Authority.

### **Recommendation**

The Highway Authority is satisfied that the Framework CTMP covers the measures outlined in the previous response and therefore is satisfied that through continued dialogue with the applicant, and securing the CTMP through planning the impact of the pipeline construction can be minimised and managed appropriately. Having regard to the above the Highway

Authority raise no objection to the application subject to the following conditions and Section 106 obligations;

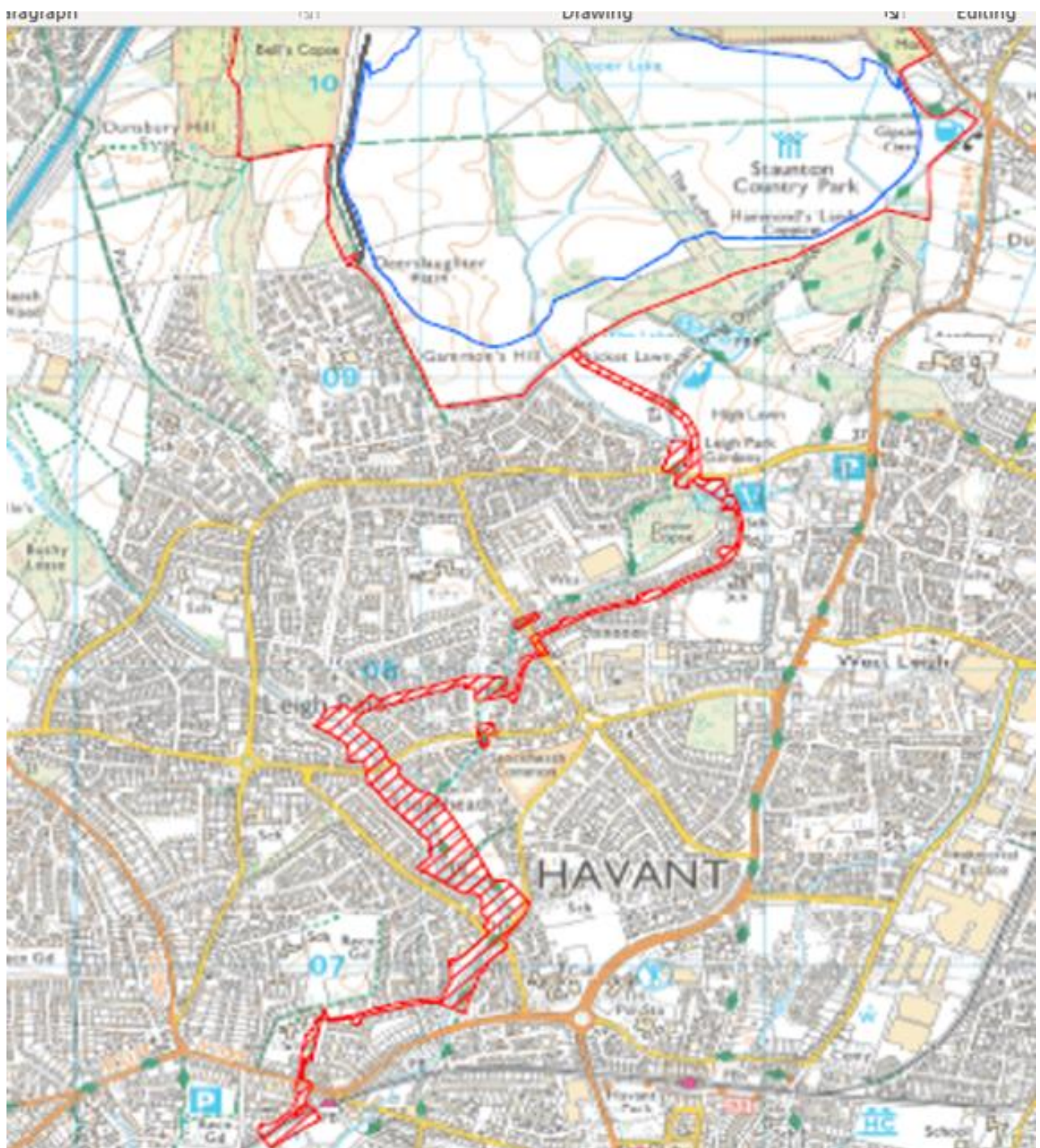
#### *Conditions*

- Provision of a full CTMP prior to commencement of any phase of the pipeline
- Provide a full phasing plan prior to the commencement on site
- Prior to commencement of any phase for the proposed cable location details and construction methods to be submitted to the planning authority for approval in consultation with the Highway Authority. This should include provision of the following:
  - a) Proposed pipe location and the location of any supporting infrastructure
  - b) Proposed construction methodology
  - c) Proposed reinstatement
  - d) Details of any impacts on existing services or highway infrastructureThe above details should be submitted along side the proposed traffic management construction measures as set out below. On Completion of the works 'as built' drawings should be provided to the Highway Authority.
- Prior to any phase being commenced, details of traffic management and construction measures to include but not be limited to;
  - (a) Vehicular, pedestrian and cyclist diversion plans
  - (b) Details of type of traffic management
  - (c) Details of highway reinstatement
  - (d) Construction detail

#### *Obligations*

- Commitment to pay to the Highway Authority any required CAVAT payment prior to the loss of any highway trees
- For the provision of Arboricultural Method Statements prior to the commencement of any phase of works on the highway that impact highway trees.
- No pipeline works can start on site until such time as the Northern Access and Southern Access as secured within the reservoir application have been built to Hampshire County Council's satisfaction through application APP/20/00990
- Prior to any phase being commenced a Full Travel Plan to be provided to the Highway Authority to agree. The measures contained within should be based on the Framework Travel Plan submitted with the reservoir application including:
  - (a) Minibus travel for staff to pipeline from compound in the reservoir site
  - (b) Collective travel from hotel(s) should these be provided
  - (c) Sustainable transport incentives for local staff
  - (d) Action plan to reduce reliance on private car use
  - (e) Travel Plan Bond
- Payment of the £1500 travel plan approval and £3000 per annum monitoring fees unless already complied with under application APP/20/00990.



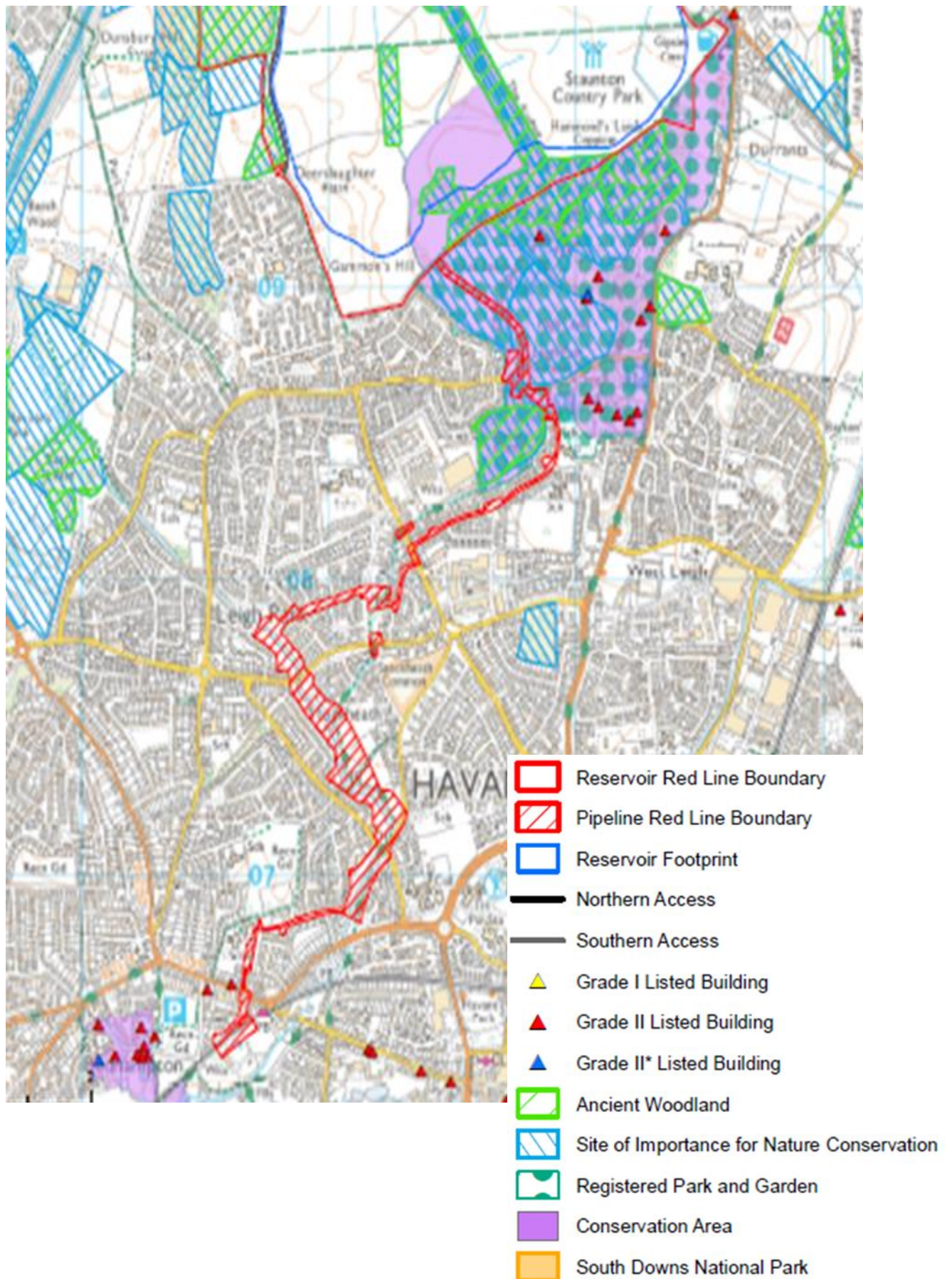


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## Appendix C

## Pipeline location and Environmental constraints



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## Pipeline trench cross sections

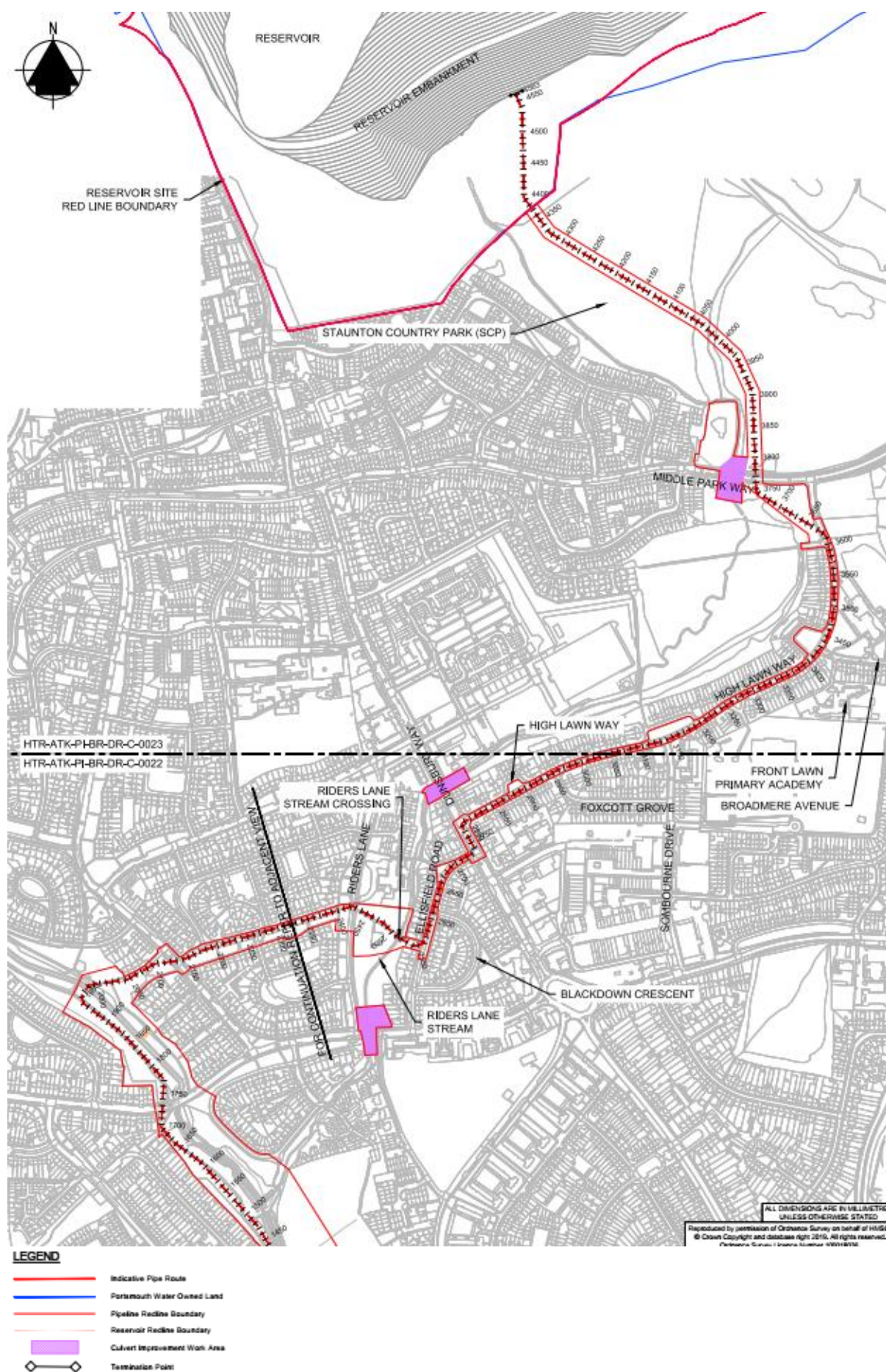
COMPRESSIBLE BOARD  
FIXED UP AGAINST BOG  
ENDS

CONCRETE SURROUND

DETAIL A

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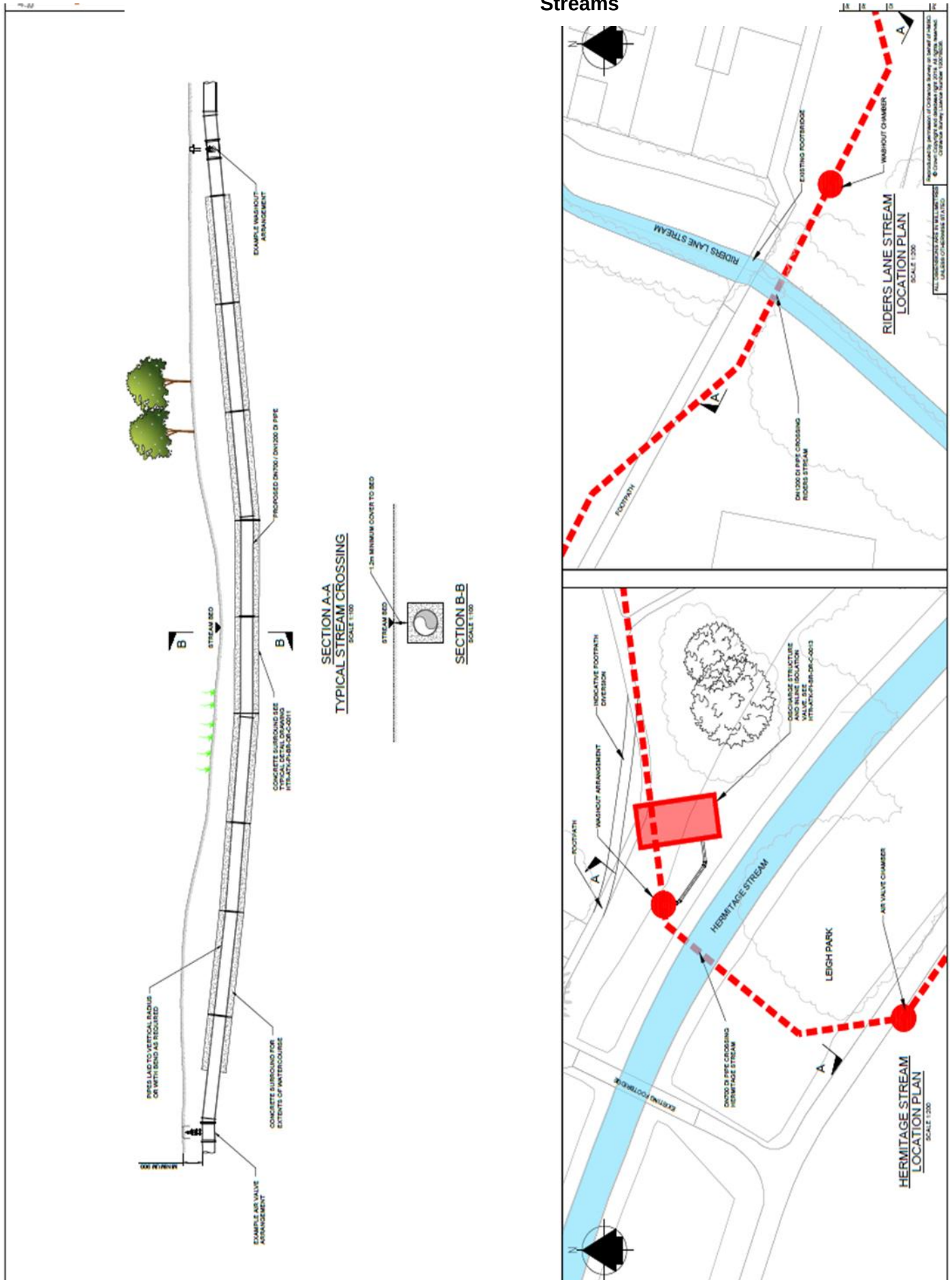




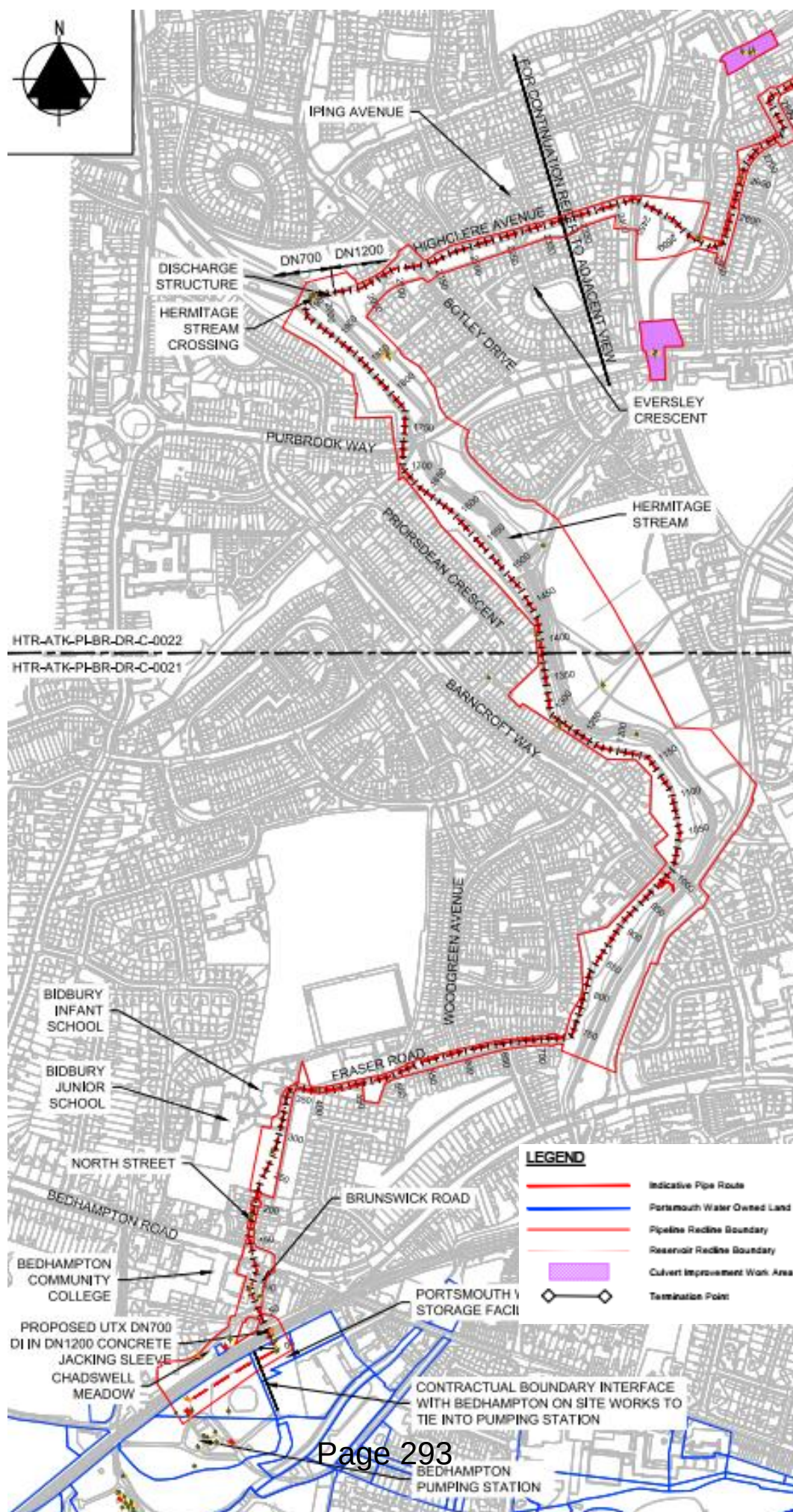
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# Discharge location and indicative layout of discharge structures by Riders and Hermitage Streams

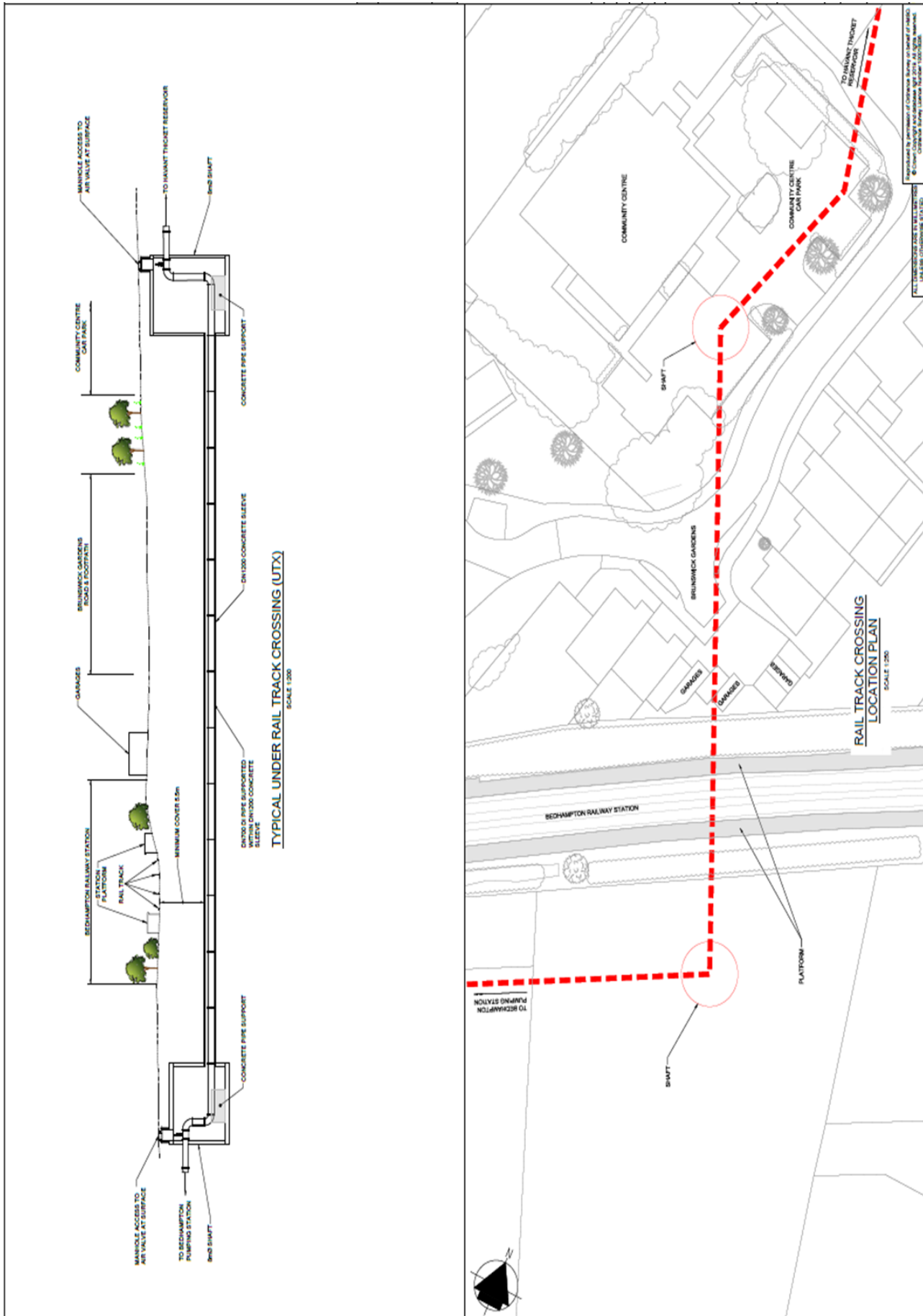


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