
Site Address:	Coldharbour Farm - Phase 2, Coldharbour Farm Road, Emsworth		
Proposal:	Outline application for the construction of 53 dwellings with new vehicular access from Coldharbour Farm Way with all other matters reserved.		
Application No:	APP/14/00360	Expiry Date:	04/07/2014
Applicant:	Mr White	Team:	Team 2
	Telstar Limited		
Agent:	Mr White	Case Officer:	Rachael McMurray
	Genesis Town Planning		
Ward:	Emsworth	DMC Lead Member	

Reason for Committee Consideration: At the request of Councillor Gibb Gray

Density: 27 dwellings per hectare

HDS Recommendation: **GRANT OUTLINE CONSENT**

1 Site Description

- 1.1 The site, which has an area of 1.94ha, is located between Coldharbour Farm Road and the existing services north of A27, on the north western side of Emsworth. The A27 runs parallel with the southern boundary of the site. The Emsworth recreation ground lies to the north east of the site, separated by a ditch which is designated as a Site of Importance for Nature Conservation (SINC). The West Brook Stream also runs along the site, just outside the eastern boundary. Access into the development site is from Coldharbour Farm Road, which is accessed from Horndean Road. The site is relatively level and currently comprises open land with semi-mature planting and hedgerows along each boundary. There is a shared footpath / cyclepath which extends along the eastern boundary of the site and extends south through an underpass to Washington Road, close to Emsworth Town Centre. Emsworth railway station is located to the south east of the site along Horndean Road, with Emsworth Town Centre beyond this. The site is located partly in Flood Risk Zone 1, with eastern side in Flood Zones 2 and 3.
- 1.2 Coldharbour Farm Road is a fairly modern development of 49 dwellings including detached, semi-detached properties and two-storey blocks of flats. The character of Horndean Road is mixed with properties of different sizes and ages mainly set back from the highway.

2 Planning History

- 2.1 The National Planning Policy Framework (NPPF) requires the authority to maintain a continuous five year supply of deliverable sites to meet the present and future needs of the Borough.
- 2.2 The Council are currently working on the Local Plan (Allocations) DPD which has allocated housing sites to meet the requirement through a comprehensive process of Borough wide public consultation and involvement. This will ensure that the large majority of housing sites that will come forward during the plan period are those with consensus and support from local residents. The site has been identified as a potential housing allocation by draft Policy EM1 of the Publication version of the Allocations Plan (Site UE37), for the allocation is for 47 dwellings. The Allocations Plan was subject to

extensive informal public consultation, which took place in May 2012 with further public consultation of 6 weeks from 11 October 2013 and went through an Examination in Public scheduled in April 2014. The allocation was considered a favoured site by the public through the informal consultations and because of this, is considered an appropriate site to meet the Borough's needs to 2026 and it has therefore been included as a preferred site in the Draft Local Plan (Allocations). A further update on this plan is provided in Section 5 of the report under the Planning Policy consultee response.

- 2.2 A Development Consultation Forum was carried out on 28th November 2013 to engage with Councillors, key stockholders and the public prior to the submission of an application.

3 Proposal

- 3.1 The proposal is to obtain outline planning permission for 53 dwellings with access from Coldharbour Farm Road. The housing mix would comprise 4no. 2 bed houses, 18no. 3 bed houses, 17no. 2 bed houses, 8no. 2 bed flats and 8no. 1 bed flats.
- 3.2 The application has been submitted as an outline application and the submitted form indicates only access is to be considered at outline stage with layout, scale, appearance and landscaping not being considered at this stage, although some indicative information in relation to these matters are included in the application submission and discussed in this report.
- 3.3 Vehicular access to the site is proposed to be from Cold harbour Farm Road, which is accessed from Horndean Road, close to the junction with New Brighton Road. The access currently terminates at the end of the Coldharbour Farm Road as a parking area.
- 3.4 The general density of the site is approximately 27 dwellings per hectare. 16no. units (30%) of the proposed 53 dwellings would be affordable units which would include properties to rent and shared ownership properties. The location and mix of affordable units is not determined by this outline scheme. The majority of the dwellings proposed are as two storey houses, with the proposed flats also being contained in two-storey buildings.
- 3.5 For the majority of plots, the rear gardens depths are 10m or more and the back to back distances accord with the requirements of the Havant Borough Design Guide. Parking would be provided in the curtilages of each dwelling or within parking / garage courts and accords with the Council's adopted standards.
- 3.6 The illustrative plans (Appendix C) show a new shared footpath / cycle path link from Footpath 71 (which runs from Washington Road parallel with the eastern boundary of the site, to the recreation ground) through the site to link to the petrol filling station which sits to the west of the site.
- 3.7 The illustrative plans show an attenuation basin to be located along the eastern section of the site. The purpose of this feature is to assist with surface water drainage from the site.
- 3.8 On the 20 February 2013, the Council approved the Havant Borough Community Infrastructure Levy Charging (CIL) Schedule. The Charging Schedule took effect from the 1st August 2013. The required payment for the development will be based on the approved floor space which would be the subject of a reserved matters application.
- 3.9 With regards to the Solent Mitigation Disturbance Project, the following decision has come into effect: in line with Council approved Policy DM24 criterion a) of the Local Plan (Allocations): Submission Version, the delegated approval of a contribution of £172 per

dwelling, plus legal, administrative and monitoring fees, in accordance with the findings of the Solent Disturbance Mitigation Project and the recommendations of the Solent Special Protection Area (SPA) Interim Planning Framework. The contribution will be applied to all planning applications for one or more new dwellings, determined on or after Monday 30th June 2014.

3.10 The planning application includes the following documents:

Location Plan
Feasibility Layout Plan (colour) for Illustrative Purposes
Proposed Floor Plans - for Illustrative Purposes
Streetscene Elevations - for Illustrative Purposes
Landscape Master Plan - for Illustrative Purposes
Planning Design and Access Statement
Transport Statement - Bellamy Roberts
Travel Plan - Bellamy Roberts
Noise Assessment - White Young Green
Extended Phase 1 Habitat Survey and Bird habitat Suitability Assessment - Ecosulis (received on 23/6/14)
Landscape and Visual Impact Appraisal - Lizard Landscape Design
Landscape and Planting Specification - Lizard Landscape Design
Energy Statement
Affordable Housing Statement
Flood Risk Assessment and Drainage Strategy (received on 23 June 2014)

4 Policy Considerations

National Policies

National Planning Policy Framework (NPPF)

Core Strategies 2011 forming part of the HBLDF

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS8	(Community Safety)
CS9	(Housing)
DM1	(Recreation and Open Space)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Draft Havant Borough Local Plan (Allocations) November 2012

EM1 - Emsworth Housing Allocations
DM23 - Sites for Brent Geese and Waders
DM24 - Recreational Disturbance to Special Protected Areas (SPA) from Residential Development
DM25 - Managing Flood Risk in Emsworth

Supplementary Planning Documents

5 **Statutory and Non Statutory Consultations**

Arboriculturalist:

The application site contains no trees which are under tree protection orders and all existing site trees and planting will be retained. Therefore a response from the Council's Arboriculturalist was not required.

County Minerals:

The revised minerals assessment report has been assessed. Due to the limited size of the proposed development, and other constraints, the potential underlying mineral resource is not viable for prior extraction at this point and therefore no objections are raised.

Department of Transport - Highways Agency:

No objection to the proposal however, the southern boundary borders the A27 with dwellings proposed in close proximity. It is the developer's responsibility to ensure adequate noise mitigation measures are undertaken and these should not impinge on Secretary of State land.

Officer Note: A Noise Assessment has been submitted with the application for consideration.

Environment Agency, Planning Liaison - South Downs:

Initial response:

In the absence of an acceptable Flood Risk Assessment (FRA) we **OBJECT** to the grant of planning permission and recommend refusal on this basis for the following reasons:

The FRA submitted with this application does not comply with the requirements as set out in Paragraph 9 the Technical Guide to the National Planning Policy Framework. The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

Officer Note: Further to this response, the agent submitted additional information to address the concerns of the EA. The EA provided a further response set out below:

We objected to the outline application within our response dated 1 May 2014 (our reference: HA/2014/115599/01) due to an unacceptable Flood Risk Assessment (FRA) being submitted with the application. Following the submission of the additional information dated 21 May 2014 (your reference: VLC/SD/25525) we are unable to remove our objection for the below reasons.

The additional information provided in support of the previously submitted FRA does not comply with the requirements set out in the Planning Practice Guidance Section 10.

The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA fails to demonstrate:

1. That a sequential approach has been applied to the development as 2 residential

properties are located within Flood Zone 3.

2. How water from the floodplain that has been displaced by the 2 units to the North East of the site will be compensated for; and how will the excavated material from the attenuation pond be managed to ensure no further displacement of water from the flood plain.

3. The required betterment for managing flood risk in Emsworth, as per Havant Borough Council's planning policy.

4. How the existing drains on the development site will be safely managed.

5. How the discharges both from the development site surface water drainage system and the proposed alleviation pond will be controlled. The surface water drainage system needs to be designed to control a range of runoff events, not just the 1 in 100 year plus climate change.

6. That safe access and egress can be provided to the site. The main access appears to cross the river and the floodplain and could potentially be cut off in flood conditions.

Overcoming our Objection

You can overcome our objection by submitting an FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

Whilst the Environment Agency has no objection to the principle of the proposed development we believe that the concerns raised must be resolved prior to any outline planning permission being granted.

Given the potential space available within the site, we would like to understand why an alternative layout has not been proposed whereby these properties would not be located in the flood zone and the proposed land raising would not be necessary. The proposed land raising will cause the displacement of flood water. Although landscaping will occur, it is not clear how this will account for the displaced flood water, or what will happen to the spoil it creates. If the spoil is left on site it may cause further displacement of flood water.

The Environment Agency supports any betterment provided by the proposed basin storage, as this is in accordance with the Havant Borough Council's Emsworth Flood Risk Strategy. The Local Planning Authority will need to be able to quantify the proposed betterment to determine if it is in accordance with the local planning policy.

The Environment Agency is supportive of the Emsworth Flood Risk Strategy and the scheme at Emsworth will contribute to the implementation of this strategy. The site layout shows that culverting will occur. We would recommend that this is avoided where possible. No building should occur above or adjacent to culverts and any culverting will require permission from Hampshire County Council. Please be aware that in any surface water drainage strategy we would expect to see at least 2 stages of water treatment, in accordance with the CIREA SuDS Manual C697.

We would expect the controlled peak flow from the landscaped basin at a minimum to End 3 match the existing rates, ideally reduce them. This should be agreed with the Local Planning Authority through the FRA and Surface Water Drainage Strategy submitted as part of the planning application for the proposed development. The Local Planning Authority will consult with the Environment Agency as a statutory consultee for advice on the suitability of these proposals. If site access is to be across a ford, an assessment of the associated water hazard during extreme flood events is required. If it is not safe to cross the ford during extreme flood events the Local Planning Authority's Emergency Planners may wish to consider if appropriate emergency and

evacuation plans are in place.

We have previously raised the concerns above in pre-application advice to the developer by letter in October 2013 (our reference: HA/2013/114781/01-L01) but from the information provided, they do not yet appear to have been addressed. Our concerns need to be resolved at the outline planning application stage as they could impact on several reserved matters for the site.

Mr Ian Miller of the Environment Agency is aware of, and fully supportive of the points raised in this response.

Officer Note:

A totally revised FRA was submitted on 23/6/14 written by Bellamy Roberts. The Environment Agency has provided the following update response on 7/7/14:

Following the submission of further information, we now consider that outline planning permission could be granted if the following planning conditions are attached to any planning permission granted in order to make the development acceptable:

Condition 1

No development shall take place until a detailed design for the proposed infiltration basin has been submitted to and approved in writing by the local planning authority.

The design will need to:

1. Demonstrate that the infiltration basin provides sufficient compensatory storage for the proposed land raising elsewhere on site. Design information to include location plans, calculations and cross sections.
2. Demonstrate that the infiltration basin will be designed to a 1 in 100 year rainfall event plus an allowance for climate change Design information to include location plans, calculations and cross sections.
3. Provide detail of any structures including control structures.

Reason: To prevent the increased risk of flooding, both on and off site

Condition 2

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year (with an allowance for climate change) will not exceed the run-off from the existing site following the corresponding rainfall events. The drainage scheme should:

1. Provide an assessment of how the site is currently drained, its existing runoff rates and the proposed runoff rates. It should demonstrate that the combined flow from the proposed development does not exceed existing rates.
2. Demonstrate the surface water run-off generated up to and including the 1 in 100 year an allowance for climate change will not exceed the run-off from the existing site following the corresponding rainfall event.
3. Demonstrate the measures employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving waters.
4. Include details of how the scheme shall be maintained and managed after completion. This shall include the arrangements for adoption by any public body or

statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

5. A timetable for its implementation.

6. A written summary of the scheme, including supporting calculations

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site.

Advice to Local Planning Authority / Applicant:

The applicant is proposing to raise land in the flood plain. This is a mitigation measure to bring properties above predicted flood levels for the development site. The Local Planning Authority (LPA) should be aware it is unlikely that the Environment Agency Flood Map will be updated unless modelling work is carried out. As such, the proposed development will remain in Flood Zone 3. It may therefore be the case that obtaining insurance against the risk of flooding in the future may be limited – until such a time that re-modelling of the area is carried out.

The proposed land raising will cause the displacement of flood water. The Flood Risk Assessment (FRA) produced by Bellamy Roberts in June 2014 (reference ITR/4391/FRA.1) states that this displacement will be accounted for in the design of the infiltration basin. It is also proposed that the infiltration basin will be designed to a 1 in 100 year rainfall event plus an allowance for climate change. Detailed design information and supporting calculations are required in order to demonstrate that the capacity of the infiltration basin is sufficient for both of these purposes. The Environment Agency welcomes the intention to reduce run off rates from the infiltration basin. It is not clear what will happen to the spoil created by the proposed land raising and infiltration basin. If the spoil is left on site it may cause further displacement of flood water.

The Environment Agency supports any reduction in run-off rates relative to the existing, greenfield situation. The LPA will need to be able to quantify the proposed betterment to determine if it is in accordance with local planning policy and the Emsworth Flood Risk Strategy. Detailed layouts, calculations and designed of structures are required to demonstrate how surface water will be safely managed. Please be aware that in any detailed surface water drainage strategy we would expect to see at least 2 stages of water treatment, in accordance with the CIREA SuDS Manual C697.

The Environment Agency welcomes the culverting principles set out in Section 2.8 of the FRA with respect to culverts and would recommend that culverting is avoided where possible. No building should occur above or adjacent to culverts and any culverting will require permission from Hampshire County Council. If site access is to be across a ford, an assessment of the associated water hazard during extreme flood events is required. The proposed location of outfalls from the surface water system should help manage this risk. However, if it is not safe to cross the ford during extreme flood events the LPA's emergency planners may wish to consider if appropriate emergency and evacuation plans are in place.

Under the terms of Section 109 of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written

consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the West Brook designated a 'main river'. Please be aware that the Environment Agency has up to two months to determine applications for consent made under Section 109 of the Water Resources Act 1991 and you are therefore advised to contact the local Environment Agency office as soon as possible to discuss making an application. This consent is required in addition to planning permission and will only be issued if the works do not pose a flood risk to people and property, and do not conflict with the Environment Agency's other duties.

Economic Development:

An Employment and Skills plan is required and should be built into the S106.

County Ecologist:

The additional ecological information provided does address previous concerns. The recommendation is that site-wide ecological mitigation and enhancement measures are secured via a suitably-worded condition. The revised report now includes a statement on the likelihood of financial contributions towards mitigation measures for recreational disturbance impacts - this is clearly a matter for the applicant to discuss with HBC.

It is strongly recommended that firm details of SINC protection are provided at the reserved matters stage: SINC's are a material consideration and are natural resources of County value, as well as contributing nationally to ecological networks. It is the applicant's responsibility to ensure that no adverse impacts occur to SINC's.

In summary, the ecological information now submitted is sufficient to allow the LPA to have confidence that the ecological constraints are understood to a degree appropriate to the outline application and thus are likely to be effectively mitigated. Therefore, if you are minded to grant permission, could I suggest that ecological mitigation measures are secured via a suitably-worded planning conditions such as:

Prior to the commencement of any development activities a detailed scheme of site-wide ecological mitigation and enhancement measures (to include but not necessarily restricted to: site plan showing all ecological features; location, extent and composition of mitigation/ enhancement habitat; details of management of mitigation/enhancement features; measures to protect ecological features) shall be submitted to, and agreed in writing by, the Local Planning Authority. Such details shall be in accordance with the outline mitigation, compensation and enhancement measures detailed within the Extended Phase 1 Habitat Survey and Bird Habitat Suitability Assessment report (Ecosulis, June 2014). Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority, and all such measures shall be permanently retained in accordance with the approved plan.

Reason: to provide ecological protection and enhancement in accordance

Officer Note: A contribution towards the Solent Mitigation Disturbance project will be secured via the s106 agreement.

Education Department:

Based on the County Council's Developer Contribution Policy, a contribution towards additional primary places at a rate of £5,057 per dwelling is required. Based on 53no. dwellings this would £268,021. Warblington Secondary has surplus places and I will

not be seeking a contribution towards secondary places.

Officer Note:

The agent advised in an email dated 11/6/14 that a reduced figure has been agreed with the Education Officer at Hampshire County Council for the sum of £227, 565 as a result of taking out the one bedroom flats from the calculation resulting in 45 eligible dwellings.

Engineering/Drainage:

The proposed SUDS design is over and above what is required purely for the development. The Environment Agency has been in discussions with the developer and have agreed a 'betterment'. Assuming this is in the application (the EA will be able to advise in their response), I would have no further drainage comment.

The access road severs the main north-south sustainable travel link through Emsworth - the Washington Road cycle path. Therefore, the design of the access road at the point where it crosses the path therefore needs to include a suitable 'table top' feature both to slow traffic to a crawl for safety, and to ensure that cyclists have clear priority over other traffic on this important route. This crossing point and table top to be to a design approved by the highway authority.

Officer Note:

A planning condition is proposed which requires details of the table top design to be submitted and agreed and then installed prior to the occupation of the first 25 dwellings. To cover the construction phase. details of interim advance warning signage must be agreed and installed prior to the commencement of any development. The management of the SUDs system will be a requirement of the s106 agreement.

Hampshire County Council Highways:

Due to the size and nature of the development, highways advice should be provided by engineers at the local planning authority under the terms of the Agency Agreement.

Environmental Health:

The layout of the proposed development as per the illustrative layout plan, will enable some mitigation of disturbance entering the living space to some extent, but if windows to the south side are openable, the mitigation will be rendered ineffective and therefore acoustically treated trickle vents may need to be installed.

Development Engineer:

Initial response:

The principle of the development of 53 Units is acceptable in highway terms but more details are required as follows:

1. The Plans don't seem to show the footway from the site connection to the footway in Coldharbour Farm Road, therefore this either needs to be conditioned or within the s106.
2. Auto track overlays will be require to show the path of a refuse/emergency vehicle around the double bend and also illustrate the available Sight Visibility Distances.
3. I can confirm the cycleway/ footway (also known as footpath 71) where it is crossed by the access road will need to do so at a tabletop, this cycle track is adopted highway, it is part of the main safe route to school and well used to access the schools. Therefore this should either be a condition or specified in the s106, the priority must be for the pedestrians and cyclists.

4. The ped/cycle path to the service station is a requirement for the site.

Note: The layout is only illustrative but as shown the roads would not be acceptable for adoption under a Section 38 Agreement

Officer Note:

After further discussions with the Highways Officer, it was determined that the following conditions should be included on any approval which addresses the issues raised above:

1. That the provision of the table top feature could be conditioned as follows;

Details of the table top feature to be included at the junction of cyclepath/footpath 71 and the newly formed vehicular access into Coldharbour Farm shall be submitted to the Local Planning Authority for consideration. Any agreed table top feature shall be provided prior to the occupation of the first 25 dwellings constructed.

Reason: *to ensure the safety of pedestrians and cyclists using Footpath 71.*

2. A condition for the developer to enter into a S278 agreement as follows:

Prior to the commencement of development, the developer shall enter into a Section 278 agreement with the Highways Authority for the crossing of Footpath 71 and the works required to connect the road and footway at the end of the Coldharbour Farm Road to an adoptable standard. Any such works shall be fully completed prior to the occupation of any dwellings.

Reason: *to ensure the safety of cyclists and pedestrians.*

3. A condition regarding safety signage prior to the installation of the table top:

Prior to the commencement of development, details are to be provided and agreed by the Local Planning Authority with regards to suitable interim and advance warning signage to be erected at the junction of Footpath 71 and the vehicular entrance to the site prior to the commencement of development. Any agreed signage shall be provided prior to the commencement of development.

Reason: *to ensure the safety of cyclists and pedestrians.*

Housing:

The proposed number of affordable units and the mix of unit types are supported.

The illustrative location of the proposed affordable homes all towards the west of the site and in very close proximity to each other, does create cause for concern taking into consideration the siting and number of flats. The developer should consider moving a number of the proposed affordable homes to elsewhere within the site, perhaps to somewhere within plots 42-51. Careful consideration should also be given to which plots are for Affordable Rent and which are for Shared Ownership as this can help mitigate concentration issues.

Affordable unit sizes should comply with requirements stated in Havant Borough Council SPD dated July 2011. Any 2 bedroom affordable homes should be large enough to accommodate 4 persons, and 3 bedroom homes be designed to accommodate up to 5 persons i.e. 67-75sqm and 82-85sqm respectively.

Should this outline application be granted I look forward to further details being provided as part of the Reserved Matters. I would like to see some consideration in future for disabled adapted units where appropriate.

Waste Services Manager

No comments received.

Landscape Team:

LVIA: Comprehensive LVIA however for Viewpoint 4 – the most significant visual effect the view from the path is noted as ‘ a very short section’ – it would be useful for a measurement to be provided and a percentage perhaps of the total length of the footpath to give a clearer view of the extent of the substantial/adverse significance –

What is the ‘emergency access’ – it is intended to vesicularly cross the ditch/stream which has SINC value?

The borough design guide SPD indicates....

4.23, the Council expects car parking spaces to be grouped in numbers no greater than five.

This development has several runs of 6, and areas that could be easily divided with more street trees or trees in the area. For example south of the flatted development the area here becomes rather hard landscaped, more tree panting could divide this space a little more and provide more of a buffer between the A27 and the development. There is also a run of 11 in the north west corner which could be addressed.

There are a few areas which, at detailed design level, could become rather small and pointless areas of grass, these should be avoided if possible to eliminate the risk of poor management at a later date-especially if they are in common rather than private ownership – suggest low maintenance shrub/ground cover for small areas.

Officer Note:

The Agent provided a response to these queries in an email dated 15/5/14 which advised that the public right of way footpath with an open view across the south-eastern edge of the site area for a very short distance; the length of the open section of footpath is approximately 20.0 metres. This viewpoint is set very low to the edge of the site and the recreation ground and also below the elevated A27. This short length of open view through the surrounding boundary vegetation is visible for 20.0 metres within the context of the 190.0 metres of enclosed public right of way footpath which runs along the eastern edge of the site within the recreation ground.

With regards to the emergency access, this is an error on the plans as no emergency access is proposed. In this regard please refer to the feasibility plan of the architect 320-101 attached.

Open Space Society
No objections

Crime Prevention:

The proposal creates a cycle way between Coldharbour Farm Road and the A27 services. Currently no such access exists and this will increase the vulnerability of the services to crime. Therefore, I recommend that this connectivity is removed from the scheme.

Physical barriers should be put in place to prevent motor vehicles using the cycleway to gain access to the service station and vice versa.

A number of dwellings have rear access footpaths. These footpaths are accessible to the general public directly from the public highway. Such easy access to a rear footpath increases the vulnerability of the properties adjoining the footpath to crime.

To reduce the opportunities for crime I recommend that rear garden access is provided from within the curtilage of the property, however, if this is not desirable a gate should be fitted at the junction of the footpath and the public highway. All rear garden gates should be fitted with a key operated lock that can be operated from either side of the gate.

To the south of the development is a communal garden and two parking areas. There is easy access to this area to reduce the opportunities for crime this area should be well lit.

Planning Policy:

Initial response (April 2014):

The Local Plan (Allocations) has now been submitted to the Secretary of State for Examination (submitted in December 2013). An Inspector has been appointed and hearing dates set from the 29th April. The 'Matters & Issues' for discussion at the hearings has now been published and Matter 4, Issue 2 of the Hearing Programme will discuss the application site (to be held on Wednesday 30th April).

The status of this site within the emerging plan is that it is allocated for residential development under Policy EM1 (site reference UE37). Page 30 of the 'Havant Borough Local Plan (Allocations): Submission Version' includes site specific development requirements relating to this site. These have been appropriately referred to in the submitted application detail provided by the applicant and the case officer should consider whether these have appropriately been addressed. The indicative number of dwellings for this site in the Local Plan is for 47 dwellings.

Although the Local Plan (Allocations) has not yet been adopted it is at an advanced stage in preparation and therefore carries weight in decision making. Paragraph 216 of the NPPF outlines the weight to be given to emerging plans.

216. From the day of publication, decision-takers may also give weight (unless material considerations indicate otherwise) to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In addition to this the Council have also published an Interim Planning Policy Statement (October 2013) and this explains the ability of the Council to choose to allow allocated sites in the emerging plan to come forward in advance of adoption of the Plan.

With regard to the above I have **no objection to the principle** of residential development at this site. The number of dwellings proposed is, in my opinion, sufficiently close to the indicative amount indicated within the emerging Local Plan and the proposal is consistent with the emerging policy.

Updated response (7/9/14):

The hearings as part of the examination of the Local Plan (Allocations) took place from the 29th April until 1st May 2014. The Plan carries increased weight at this stage in accordance with paragraph 216 of the NPPF. The application site is allocated for housing development as part of the Local Plan (Allocations).

In addition the Council have an Interim Planning Policy Statement (October 2013) which is effective until such a point as the Local Plan (Allocations) is adopted. This statement is clear that proposals in accordance with the emerging plan should be supported. The approval of appropriate housing development that accords with the emerging Local Plan is important in order to maintain a 5 year housing land supply, which is a requirement of the NPPF.

Public Spaces Development Manager:

With regards to the link path from Emsworth recreation to Washington Road over which access to the proposed development is taken, the plan shows vegetation (probably trees) along the edge of the development adjacent to the path. I think it is important that this boundary has an 'open feel' about it and that trees or other vegetation do not create a blind spot or shadowy area where pedestrians might feel unsafe especially at night. Trees would be ok so long as they are not too close together and have clean stems/trunks (i.e. not feathered).

Under the current asset policy, the Council would not take ownership of any of the open space.

Rights of Way Officer:

No objections

Southern Water:

Following initial investigations, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location.

Should this application receive planning approval, please include, as an informative to the permission, the following requirement:

"The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk "

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to

the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

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

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse. We request that should this application receive planning approval, the following condition is attached to the consent:

"Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk.

Traffic Management Team
No objections

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 37

Number of site notices: 7no. site notices erected at the site and the wider area

Statutory advertisement: 25/04/2014

Number of representations received: 4 x representations received, two of which are from the Emsworth Resident's Association. The points raised in all representations are summarised below:

1. Additional traffic onto Horndean Road will cause a traffic safety issue. Has the Council considered any measures to counter this, apart from the provision of a Toucan crossing on the Horndean Road?
2. As Coldharbour Farm Road is very narrow, how will the site lorries navigate the road if

cars are parked?

3. Noise, dust and pollution will result from the construction phase of the development.

4. The local schools are full to capacity so where will children living on the development be schooled?

5. The development will result in the loss of gap between existing built up areas.

6. How deep will the attenuation basin be, and will it need some sort of surrounding safety barrier?

7. Who will be responsible for this maintenance of this infiltration basin?

8. Will it be linked to a future flood attenuation scheme on allocated housing site west of Horndean Road, and if so, how ?

9. Can the Council make a condition of planning approval that the above flooding attenuation measures are detailed and assessed before approval is given?

10. Southern Water has advised that sewerage capacity in network closest to site is limited. Can the Council ensure that the disposal of sewerage from this site will be within the capacity of the existing system.

11. The current application does not consider traffic implications on the A259 or the village of Emsworth as a whole which is already congested at peak times.

12. The Transport Assessment appears to be flawed, based on the database used by the consultant there would only be 22 vehicular traffic movements at peak time in the AM and 23 movements at peak time in the PM, however, with 113 parking spaces would it not be reasonable to expect that traffic movements would be significantly higher than the figure suggested by a database?

13. Has an analysis of traffic/usage of the pedestrian/cycle path linking Washington Road with Emsworth Park been carried out?

14. What data exists to validate the use of a 'speed table' restriction as a means to preventing/reducing pedestrian/cyclist accidents when crossing the extended Cold harbour Farm Road into the development site?

15. The materials proposed for the finished dwellings, section 9 of the application form, do not appear to be consistent with the design and character of the existing dwellings in Coldharbour Farm and the surrounding area which is my belief is contrary to the Borough's Planning Policy.

Officer Note: A further objection was received from the Emsworth Residents Association based on the consultee responses from Southern Water and the Environment Agency. This is summarised below:

18. The planning application was submitted without proper consideration on these two matters, and it should not have been left to this stage of an application before important and necessary details were asked for; they should have been considered before, and included in the planning application.

19. Regarding the objections raised by Southern Water, while Southern Water require "...the applicant to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure to service this development." should this application receive planning approval, we suggest that the applicant –if they have not already done so – contact Southern Water before a planning approval decision is made, to realistically determine what works will be required, and if the applicant is then considers the works affordable in cost and time for this project. This will, we are sure, save time and unnecessary expense later.

20. The applicant needs to ensure that long term maintenance arrangements for the SUDS facilities exist, (a point we also raised in our earlier email), and that they are maintained in the long term. For such a scheme to be implemented, the drainage details need to be submitted to the Local Planning Authority. We note that Southern Water have suggested the following condition – "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have

been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”

21. We ask that the planning authorities require the developer to address the objections raised by the two agencies as soon as possible, to the full satisfaction of the agencies.

22. Compliance with the above together with a viable Flood Risk Assessment should be a condition of any planning consent backed up by a Sec. 106 Agreement and include any necessary contribution to the Emsworth Flood Alleviation Scheme. Should the applicants fail to provide the above assurances we would request that this application be refused.

7 Planning Considerations

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

- (i) Principle of development
- (ii) Nature of Development
- (iii) Impact on the Character and Appearance of the area
- (iv) Impact on the existing Residential Amenity
- (v) Impact from the A27
- (vi) Access and Highway Implications
- (vii) Flooding and Drainage
- (viii) The Effect of Development on Ecology and European and Internationally Important Sites
- (ix) Impact on Trees
- (x) Crime Prevention
- (xi) Contribution Requirements and Legal Agreement

(i) Principle of development

7.2 The National Planning Policy Framework (NPPF) was adopted by National Government on the 27th March 2012, replacing all previous National Policy Documents, including all Planning Policy Statements and Planning Policy Guidance Notes. The primary objective of the NPPF is to increase delivery of sustainable growth and development. It is about delivering growth that is not to the detriment of future generations. This positive growth should perform an economic, social and environmental role and should be allowed to go ahead, without delay. The NPPF requires local development plans to take local circumstances into account and meet the objectively assessed development needs of an area.

7.3 The Council adopted its LDF Core Strategy, in March 2011. The Core Strategy sets out a series of strategic planning policies which are intended to guide the future of development in the Borough to 2026. The application site lies outside the urban area as defined on the Proposals Map of the adopted Local Plan (Core Strategy). As such the proposal is contrary to the adopted development plan. The NPPF confirms that the application must be determined in accordance with the Local Plan unless material considerations indicate otherwise.

7.4 The matter of ‘other material considerations is relevant to the proposal. Paragraph 216 of the NPPF states that, “From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);

- and the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 7.5 In October 2013, the Council approved the draft Allocation Plan for publication and consultation from 11 October for 6 weeks. The plan went through an examination in public in April 2014. The site which forms the subject of this application forms part of the site allocated by draft policy EM1 (Site ref UE37) of the Publication version of the Allocations Plan. This mixed use allocation is for 47 new homes.
- 7.6 In 2010, the Council carried out a Strategic Housing Land Availability Assessment (SHLAA), which provided an analysis of the potential development sites in the Borough, as part of the evidence base to inform the content of the LDF Core Strategy and Allocations DPDs. The SHLAA contains an assessment of the amount of land that is available for housing development. The role of the SHLAA is to identify sites with potential for housing, assess their housing potential and assess when they are likely to be developed. The SHLAA does not determine whether a site should be allocated for housing development, this is the role of the Development Delivery (Allocations) DPD.

(ii) Nature of Development

- 7.7 The current application is for outline planning permission with access being the only reserved matter to be determined at this time. The acceptability of the access arrangements will be considered under section (vi) of this report. It is however necessary to give some consideration to the indicative layout for the residential floorspace and proposed density, as it must be demonstrated at this stage that the site can successfully accommodate the extent of development proposed. To this regard the following factors have been considered;
- The density of residential development
 - The mix of dwelling sizes and tenures
 - The design and layout of the residential development including Public Open Space

The density of residential development

- 7.8 The application seeks 53No. dwellings which equates to approximately 27 dwellings per hectare. Core strategy Policy CS9 (Housing) states that planning permission will be granted for housing proposals which (amongst other matters) '*Achieve a suitable density of development for the location, taking account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form*'.
- 7.9 Supporting text of the Core Strategy paragraph 6.21 provides further guidance stating that:

The density of new housing will depend on its design and appropriateness to its location. As a guide the following minimum density thresholds have been developed using the Havant Borough Townscape, Landscape and Seascape Character Assessment and the levels of accessibility to a range of facilities:

High Density – Minimum of 60 dwellings per hectare
Medium Density – Minimum of 45 dwellings per hectare
Low Density – Up to 45 dwellings per hectare

Under this assessment the density of development can be considered to be within the Low Density category.

- 7.12 Paragraph 6.23 makes it clear that *'It is not intended that density requirements should be too prescriptive as it is often a difficult balance between maximising the use of land and reflecting surrounding built character and the amenity of neighbouring residents. This is therefore best assessed through individual planning proposals through the development management process'*. The NPPF states that *'To boost significantly the supply of housing, local planning authorities should, (amongst other matters) set out their own approach to housing density'*. The proposed density of 27 dph is considered to be an appropriate density.

The mix of dwellings sizes and tenures

- 7.10 With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to advice within Policy CS9 which states that development should *'Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities'*. In this case the proposal comprises a mix of detached, semi-detached dwellings and apartment blocks, providing 1, 2, 3 and 4 bedroom units.
- 7.11 The submitted details provide for 30% affordable units equating to. 16No. units. The location and details of such units would be determined at the reserved matters stage, however, the Housing Officer suggested that the location of affordable units is concentrated and that the developer should consider moving a number of the proposed affordable homes to elsewhere within the site, perhaps to somewhere within plots 42-51. Affordable unit sizes should comply with requirements stated in Havant Borough Council SPD dated July 2011. Any 2 bedroom affordable homes should be large enough to accommodate 4 persons, and 3 bedroom homes be designed to accommodate up to 5 persons i.e. 67-75sqm and 82-85sqm respectively. The provision of affordable housing would be secured through a legal agreement.

The Design and Layout of the Development including Public Open Space

- 7.12 The actual layout of the development is to be agreed at the reserved matters stage however, a feasibility layout plan has been submitted as part of the application (Appendix C). The layout for the scheme has been informed by the position of the site adjoining the recreation ground to the north, the SINC to the east and A27 to the south, existing access positions, the topography, trees, hedges and boundary screening, the nature and form of existing surrounding development and drainage and ecology mitigation requirements over the whole site. Access into the site would be via Coldharbour Farm Road. There would also be a new footpath / cyclepath link running through the site to the A27 petrol station.
- 7.13 The layout includes an attenuation basin along the eastern boundary of the site to collect surface water run off. The basin would have very shallow sides and would be rarely under water and would therefore be useable as open space. There is additional open space in very close proximity to the site in the recreation ground which includes sports facilities, a skate park and a play area.

(iii) Impact on the Character and appearance of the area

- 7.14 The site currently has an open and fairly rural character, but is enclosed on three sides by existing development, the A27, the SINC and beyond that, the recreation ground so views of the site from the wider area are already limited. The illustrative plan (Appendix C) shows planting along the southern boundary with the A27 and along the eastern and western boundaries. As such, the development would remain fairly screened from the view of the wider area.

(iv) Impact on the existing residential amenity

- 7.15 With regards to the existing residential amenity, the closest residential development is in Coldharbour Farm Road. However, the distance between the last property in Coldharbour Farm Road (No. 20) and the proposed closest dwelling on the development site is approximately 55m. The two developments would also be divided by the attenuation basin which would serve as open space. It is therefore considered that the proposed development would be unlikely to have an adverse impact of any of the properties in Coldharbour Farm Road in terms of being overbearing or resulting in any loss of privacy or outlook.

(v) Impact from the A27

- 7.16 The A27 would run parallel with the southern boundary of the site. The illustrative layout plan (Appendix C) shows that the flats have been located to the south of the site and the rear elevation would be approximately 12m in distance from the A27, separated by a parking bay and planting areas. The side/south elevation of plot 15 would also face onto the A27 at the same distance. A Noise Assessment has been submitted with the application which analyses the potential noise emissions rising from the proximity to the A27 and the potential impact on future residents.

A ventilation and glazing strategy has been identified which highlights areas of the site which would require enhanced glazing, or an alternative means of ventilation in order to meet both ventilation and ambient noise criteria. In terms of noise mitigation, the report recommends that 2.5m high solid timber fences are erected at garden boundaries exposed to the A27. The illustrative layout shows that the flats would be designed to position the main living areas away from the southern boundary with access corridors towards the rear of the building on both floors. The Council's Environment Health Officer has been consulted and has advised that the layout of the proposed development as per the illustrative layout plan, will enable some mitigation of disturbance entering the living space to some extent, but if windows to the south side are openable, the mitigation will be rendered ineffective and therefore acoustically treated trickle vents may need to be installed. The specifics of the acoustic attenuation would be looked at in further detail at the reserved matters stage.

(vi) Access and Highway Implications

- 7.17 As the application is for outline permission with access as the only reserved matter being assessed, the internal road layout has not been subject to detailed consideration because the design is just indicative at this stage. The new access into the development would be from Coldharbour Farm Road. At present, this road terminates with a large turning head including residents parking. To the west of this turning head, is an existing footpath (Footpath 71), which also serves as a cycle path. The newly created access into the development is proposed to cross over this existing footpath / cycle path and would be 4.8m wide (identical to that of CHF Road) and would have a 3m wide segregated cycleway/footway running through the centre of the site to provide a link through to the A27 service station to the west of the site. This would be well lit and therefore safe and would provide a benefit to the local community who currently are not able to access the A27 service station via pedestrian means. A table top crossing would be introduced at the point where the access road crosses over Footpath 71 (also a cyclepath) in order to slow the traffic. At present, the footpath which terminates at the end of Coldharbour Farm Road is not shown to carry on over into the new development. This would be a requirement in terms of highway safety and details of this to be submitted and agreed would be secured via a planning condition.
- 7.17 Concern has been raised over the safety of the new access crossing over this footpath which is well utilised by cyclists and pedestrians. The proposal for a table top feature seeks to address this potential safety issue and the Highways Officer has not raised an

objection to this proposal. They have however advised that a condition should be imposed which ensures that details of the table top feature to be constructed are approved by the LPA and provided prior to the occupation of the first 25 dwellings constructed. In order to provide additional safety for the footpath users during the construction phase, a condition would also be imposed to advise that prior to the commencement of development, details are to be provided and agreed by the LPA with regards to suitable interim and advance warning signage to be erected at the junction. The developer would also be required to enter into a Section 278 agreement with the Highways Authority for the crossing of the footpath and also for the works required to extend the existing pavement in Coldharbour Farm Road to the new junction. With these measures in place, it is considered that the access to the new development could be carried out safely and therefore would not warrant a reason for refusal on those grounds.

- 7.18 Concern has been raised with regards to the additional traffic which would be created at the junction of Coldharbour Farm Road and Horndean Road which is a main through road, with the junction of New Brighton Road close by to the north. The Transport Assessment submitted with the application has assessed the traffic impact in this regard and concluded that the junction would still be able to function well with the resultant traffic generation for the proposed 53 units. The Highways Officer has assessed this information and has raised no objections.
- 7.19 Although the only reserved matter being applied for at this stage is access, the design has been critically assessed in terms of urban design requirements. The layout has a single point of vehicular access from an existing highway route, and main road into the development leads to parking spurs. The proposed parking for each unit is either on site or within a parking close by. It is considered that sufficient parking is provided for the number of units proposed. The Council's Landscape Officer has highlighted that the Council's Design Guide expects parking to be grouped in numbers no greater than 5 and that the proposed development has several runs of 6 spaces and areas which could easily be divided with more street trees. The layout in this respect would be looked at in further detail at reserved matters stage.
- 7.20 The site is in close proximity to bus and rail networks, as well as major roads nearby and is therefore considered to be sustainable in that respect. A Transport Assessment submitted with the application concludes the development is sustainable in terms of proximity to local shops and public transport networks.

(vii) Flooding and Drainage

- 7.21 Based on the latest Flood Zone Mapping issued by the Environment Agency, the site is located mainly with Flood Risk Zone 1 however, the eastern part of the site lies within Flood Zones 2 and 3. It is this section of the site where the access into the site would be located, along with the attenuation basin and two dwellings (Plots 52 and 53) in the north east corner of the site. All other dwellings would be located in Flood Zone 1. The West Brook Stream lies to the east of the site.
- 7.22 Emerging Policy DM 25 of the Local Plan (Allocations) advises that planning permission will be granted for developments within the Emsworth urban area boundary that can demonstrate how post development runoff has been reduced by the greatest percentage rates and volumes that are possible in the context of cost, technical feasibility and viability. Extensions to existing houses and change of use are exempt from the requirements of this policy. Planning permission will be granted for developments within the Emsworth urban area boundary of greater than 1 hectare and in Flood Zones 2 and 3 that are supported by onsite sustainable drainage systems. New developments that fall within the Emsworth urban area boundary; and/or has an impact on the flood risk of the areas within the Emsworth urban area boundary may be required to make a contribution towards the Emsworth Flood Alleviation Scheme (FAS).

- 7.23 The site could potentially be at risk from both surface water flooding and fluvial flooding. With regards to surface water drainage as the stream cannot be removed, a new Sustainable Urban Drainage System (SUDS) would be introduced, including an attenuation pond to mitigate against any future surface water flood risk by lowering run off rates into the stream. The SUDS would also include soakaways, porous paving, rainwater harvesting for toilet flushing and irrigation of landscape areas. In terms of foul water drainage, the nearest public sewer is located 50m to the east of the site. Southern Water have advised that there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development and that the existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. An informative should be attached to any approval which advises the applicant to enter into a formal agreement with SW to provide the necessary sewerage infrastructure required. Concern has been raised in the local community over the potential for foul water drainage. It would be up to the applicant to solve this issue with Southern Water in order to move forward to the reserved matters stage.
- 7.24 In terms of fluvial flooding, the site currently experiences fluvial flooding from the West Brook stream. The attenuation basin has been designed to exclusively deal with this type of flooding. It would be designed over two levels to aid the cleansing of the water before it is released back into the West Brook. The outlet of the attenuation basin would be controlled using a vortex control system (such as hydrobrake). This will reduce the run-off rate and improve the flooding levels further downstream. The attenuation basin would release water slower than it enters to allow this to happen. The Council's Drainage Engineer has advised that the proposed SUDS design is over and above what is required purely for the development. The basin would compliment the proposed flood reduction works to the north of the site which are being carried out by the EA.
- 7.25 A Flood Risk Assessment (FRA) was submitted with the original application however, the EA raised concerns that this report was lacking in several areas (a full outline of their response is given in Section 5 of the report. An attempt was made to address these concerns by submitting some additional information however, the EA upheld their objection for the same reasons. A further FRA was then submitted on 23 June 2014 undertaken by a different consultant which aims to address all the concerns raised.
- 7.26 The EA provided a response to this revised information on 7 July 2014. This advised that their objection is now removed and they consider that outline permission could be granted with the inclusion of two planning conditions. These conditions seek further information in terms of a detailed design for the infiltration / attenuation basin to be provided and agreed and also for the detailed surface water drainage scheme to be submitted and a timetable for its implementation to be agreed. The response has also highlighted that it is not clear what will happen to the spoil created by the proposed land raising and infiltration basin and if it is left on the site it may cause further displacement of flood water. This query will be raised with the agent and a response will be provided and members updated before the committee meeting.

(viii) The Effect of Development on Ecology and European and Internationally Important Sites

- 7.27 There is a ditch adjacent to the eastern boundary of the site which is designated as a Site of Importance for Nature Conservation (SINC), noted for the presence of a scarce aquatic plant (narrow leaved water plantain) as well as being a habitat rich in other aquatic plant species. As such, an Extended Phase 1 Habitat Survey and Bird habitat Suitability Assessment has been submitted with the application. The initial report did not contain enough information to satisfy the County Ecologist that the development could be

carried out without having a potentially harm impact on the ecology of the site and its surroundings. However, an updated and received report was submitted on 23 June 2014 and has been further assess by the County Ecologist.

- 7.28 The County Ecologist advises that whilst no attempt has been made to investigate this SINC, the amended report does now at least contain a recommendation for buffering the SINC and, if necessary, further survey effort. The Ecologist has recommended that firm details of SINC protection are provided at the reserved matters stage. Overall they have advised that the revised report is sufficient in explaining the ecological constraints to a degree appropriate to the outline application and thus are likely to be effectively mitigated.
- 7.29 The revised report now includes an acceptable analysis of issues relating to the Solent Waders and Brent Goose Strategy (SWBGS) and has concluded that the application site does not meet the majority of criteria necessary to offer suitability for over wintering bird species. Taking the advice laid out in Policy DM23 of the Emerging Local Plan (Allocations), the site would not be subject to detailed field survey works to establish the presence of these bird types.
- 7.30 The report also include a statement on the likelihood of financial contributions in line with Emerging Policy DM24 of the Local Plan (Allocations). This relates to the Solent Disturbance Mitigation Project.

(ix) Impact on Trees

- 7.31 Trees on the site are limited in number and located on or near site boundaries and there are no tree protection orders on any of the trees on the site. All existing boundary tree and shrub vegetation is proposed to be retained and new native hedge planting, ornamental hedge planting, native tree planting, ornamental tree planting and other planting areas are proposed. Such proposals would be looked at in more detail at reserved matters stage.

(x) Crime Prevention

- 7.32 In relation to crime prevention, the Hampshire Constabulary Crime Prevention Design Advisor (CPDA) has commented on the proposals in detail. However as the layout is indicative the comments can be addressed at a reserved matters stage. They have advised that the proposed footpath / cyclepath link to the service station should be removed from the application however, the principle of this is considered acceptable as it would provide a benefit to the wider community. It would also extend through the centre of the development and would therefore be visible and well lit.

(xi) Contribution Requirements and Legal Agreement

- 7.33 The development is liable for CIL and the exact amount will relate to the floorspace approved under the reserved matters.
- 7.34 Additionally a S106 will be required in respect to the following matters:-
- (i) Off site highway works.
 - (ii) The provision of a Residential Travel Plan;
 - (iii) The management arrangements for new roads, including street cleaning and street lighting;
 - (iv) A contribution in respect to the Solent Disturbance Mitigation project at a cost of £172 per dwelling
 - (v) A contribution of £227,565 towards education

- (vi) On site open space management and maintenance arrangements;
- (vii) Design and specification of SUDS system including future management arrangements;
- (viii) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangement to secure the operation of the sustainable urban drainage scheme throughout its lifetime;
- (ix) Securing public rights of way and gaining access within the site to the public open space and to cycle/pedestrian routes;
- (x) That 30% of dwellings are made available as affordable housing in accordance with Council policy;
- (xi) Affordable housing units to be integrated and compatible with the design of Open Market Housing Units;
- (xii) Phasing of the affordable housing provision;
- (xiii) Design standards for the affordable housing;
- (xiv) Long term management arrangements for the affordable housing;
- (xv) Nomination arrangements for the affordable housing
- (xvi) Tenure mix for the affordable housing;
- (xvii) Maintenance of the drainage ditches, attenuation area and related features.
- (xviii) Management of the site and facilities arrangements including Management Entity set up to maintain and manage open spaces within the residential development and SUDS

8 Conclusion

- 8.1 On the policy issue regarding the release of this site for development, there is considered to be no justification for refusal as set out by the Councils Policy consultation response.
- 8.2 The nature of the development is acceptable in terms of density, layout and form. It illustrates that a satisfactory form of development can be achieved with an acceptable impact on the character and appearance of the area.
- 8.3 The illustrative layout is considered to have an acceptable impact on the residential amenities of adjoining residents. It is however, illustrative at this stage and would be subject to detailed layout and design of the proposed houses at the reserved matters stage.
- 8.4 The proposed access arrangements are considered acceptable and no objection has been raised by the Highway Authority. The proposal includes provision for cycle and pedestrian routes into the site and off site highway works which would improve the accessibility of the development.
- 8.5 A package of planning obligations will be delivered through a Section 106 Agreement which will mitigate the impact of the development.
- 8.6 In summary, the proposed development is considered to comply with the Local Plan Core Strategy and the NPPF. As such the recommendation is for outline permission subject to a Section 106 Agreement and planning conditions.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to
GRANT OUTLINE CONSENT for application APP/14/00360 subject to:

(A) The completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990; such agreement to be to the satisfaction of the Solicitor to the Council and to incorporate the matters detailed in 7..... of the report.

(B) The following conditions, subject to such additions and/or amendments as the Executive Head of Planning and Built environment considers appropriate:

- 1 The development hereby permitted shall be begun before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of the grant of this planning permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 Approval of the details of the following aspects of the development, **hereinafter called "reserved matters"** shall be obtained from the Local Planning Authority in writing before any development is commenced:

- (i) the scale of the development;
- (ii) the appearance of the development
- (iii) the landscaping of the site
- (iv) the layout of all the buildings

Reason: In order to secure a satisfactory development.

- 4 No development hereby permitted shall commence until plans and particulars specifying the alignment, width, gradient and type of construction proposed for all footways, roads and individual accesses thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for street lighting and for surface water disposal and a programme for the implementation and making up of the same have been submitted to and approved in writing by the Local Planning Authority. The implementation and making up of the same shall be completed in full accordance with such plans, particulars and programme as are thus approved by the Authority.

Reason: To ensure that they are constructed to satisfactory standard and, where appropriate a standard which will enable them to be taken over as publicly maintained highways and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 Construction of the buildings hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be

submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.4, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not commence until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS11.1, CS11.4, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.1, CS11.2, CS11.4, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure, including acoustic fences where appropriate have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not commence prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the

surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and having due regard to policies CS11.1, CS11.4, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

Reason: [To safeguard the amenities of the locality and/or in the interests of traffic safety] and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 11 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.

Reason: in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 12 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting, including any lighting to be included along the shared cyclepath / footpath link to the A27 service station has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 13 The development shall not be brought into use until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with details to be agreed in writing with the Local Planning Authority. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 14 Prior to the commencement of any development a detailed scheme of site-wide ecological mitigation and enhancement measures (to include but not necessarily restricted to: site plan showing all ecological features; location,

extent and composition of mitigation/ enhancement habitat; details of management of mitigation/enhancement features; measures to protect ecological features) shall be submitted to, and agreed in writing by, the Local Planning Authority. Such details shall be in accordance with the outline mitigation, compensation and enhancement measures detailed within the revised Extended Phase 1 Habitat Survey and Bird Habitat Suitability Assessment report (received on 23 June 2014). Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority, and all such measures shall be permanently retained in accordance with the approved plan.

Reason: to provide ecological protection and enhancement in accordance with policy CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 15 Details of the table top feature to be included at the junction of cyclepath/footpath 71 and the newly formed vehicular access into Coldharbour Farm shall be submitted to the Local Planning Authority for consideration. Any agreed table top feature shall be provided prior to the occupation of the first 25 dwellings constructed.

Reason: to ensure the safety of pedestrians and cyclists using Footpath 71 and having due regard to policy DM.... of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 16 Prior to the commencement of development, the developer shall enter into a Section 278 agreement with the Highways Authority for the crossing of Footpath 71 and the works required to connect the road and footway at the end of the Coldharbour Farm Road to an adoptable standard. Any such works shall be fully completed prior to the occupation of any dwellings.

Reason: to ensure the safety of cyclists and pedestrians and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 17 Prior to the commencement of development, details are to be provided and agreed by the Local Planning Authority with regards to suitable interim and advance warning signage to be erected at the junction of Footpath 71 and the vehicular entrance to the site prior to the commencement of development. Any agreed signage shall be provided prior to the commencement of development.

Reason: to ensure the safety of cyclists and pedestrians and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 18 No development shall take place until a detailed design for the proposed infiltration basin has been submitted to and approved in writing by the local planning authority. The design will need to:

1. Demonstrate that the infiltration basin provides sufficient compensatory storage for the proposed land raising elsewhere on site. Design information to include location plans, calculations and cross sections.
2. Demonstrate that the infiltration basin will be designed to a 1 in 100 year rainfall event plus an allowance for climate change Design information to include location plans, calculations and cross sections.
3. Provide detail of any structures including control structures.

Reason: To prevent the increased risk of flooding, both on and off site and having due regards to Emerging Policy DM25 of the Local Plan (Allocations) and Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 19 The development hereby permitted shall be carried out in accordance with the following approved plans:

Block and Location Plan - DN: 12 Rev B
Feasibility Layout Plan (colour) for Illustrative Purposes - DN: 10 Rev I
Proposed Floor Plans - for Illustrative Purposes
Streetscene Elevations - for Illustrative Purposes DNs: 14 and 15
Landscape Master Plan - for Illustrative Purposes
Planning Design and Access Statement - received on 3 April 2014
Transport Statement - Bellamy Roberts - received on 3 April 2014
Travel Plan - Bellamy Roberts - received on 3 April 2014
Noise Assessment - White Young Green - received on 3 April 2014
Extended Phase 1 Habitat Survey and Bird habitat Suitability Assessment - Ecosulis (received on 23 June 2014)
Landscape and Visual Impact Appraisal - Lizard Landscape Design - received on 3 April
Location of Viewpoints Map - DN: Figure No. 1
Landscape and Planting Specification - Lizard Landscape Design
Landscape Masterplan - DN: LLD653/01
Energy Statement - received on 3 April
Affordable Housing Statement
Flood Risk Assessment and Drainage Strategy (received on 23 June 2014)

Reason: - To ensure provision of a satisfactory development.

- 20 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year (with an allowance for climate change) will not exceed the run-off from the existing site following the corresponding rainfall events.

The drainage scheme should:

1. Provide an assessment of how the site is currently drained, its existing runoff rates and the proposed runoff rates. It should demonstrate that the combined flow from the proposed development does not exceed existing rates.
2. Demonstrate the surface water run-off generated up to and including the 1 in 100 year an allowance for climate change will not exceed the run-off from the existing site following the corresponding rainfall event.
3. Demonstrate the measures employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving waters.
4. Include details of how the scheme shall be maintained and managed after completion. This shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.
5. A timetable for its implementation.

6. A written summary of the scheme, including supporting calculations

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site and having due regards to Emerging Policy DM25 of the Local Plan (Allocations) and Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Appendices:...