

LAND OFF SCRATCHFACE LANE

BEDHAMPTON



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ON BEHALF OF:



IN ASSOCIATION WITH:



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1.0 INTRODUCTION

- 1.1 Pro Vision Planning & Design has been instructed by Crayfern Homes Ltd to prepare and submit an Outline Planning Application for the development of land off Scratchface Lane Bedhampton for 92 dwellings with associated parking, turning & amenity areas, surface water drainage features, a new pumping station and a new vehicular access from Brooklands Road
- 1.2 All matters (other than access and siting) are reserved. Details of the new site access are provided as part of the application.
- 1.3 The location of the application site is defined on the plan attached as Appendix 1 and is described in detail in Section 2 of this statement. Details of relevant planning history (including previous discussions with planning officers) are set out in Section 3. Relevant policies from the development plan and national planning guidance are identified and discussed in Section 4. and details of the opportunities and constraints exercise are discussed in Section 5. Details about the development proposals are discussed in Section 6 and conclusions are drawn in Section 7.
- 1.4 This statement should be read in conjunction with the following separate detailed reports which form part of the application:
- Arboricultural Impact Assessment (prepared by CBA Trees);
 - Archaeological Assessment (prepared by CGMS);
 - Affordable Housing Statement (prepared by Pro Vision Planning & Design);
 - Ecological Report and Protected Species Survey prepared by P V Ecology.
 - Flood Risk Assessment and Drainage Strategy (prepared by Stuart Michael Associates);
 - Green Travel Plan (prepared by Stuart Michael Associates);
 - Noise Impact Assessment (prepared by Alan Saunders Associates);

- Transport Assessment (prepared by Stuart Michael Associates); and
- Addendum to Statement of Community Involvement (prepared by Pro Vision Planning & Design).

1.5 A number of appendices are attached to this statement including supporting plans, photographs and other material relevant to the proposed scheme.

1.6 This statement has taken account of the guidance published in Circular 01/06 entitled “Guidance on changes to the Development Control system” and the CABE document entitled “Design & Access Statements”.

2.0 THE APPLICATION SITE & ITS SURROUNDINGS

- 2.1 The site is located in Bedhampton between the existing urban area and the A3 (M). The location of the site is shown on the Site Location Plan attached as Appendix 1.
- 2.2 To the north of the site is Scratchface Lane itself and beyond this an area of woodland known as Littlepark Wood. To the east of the site are existing dwellings located along Brooklands Road and Hillmead Gardens. Portsdown Hill Road forms the southern boundary of the site whilst the western boundary of the site is formed by a tree covered embankment that separates the site from the A3(M).
- 2.3 Access to the site is currently gained from Scratchface Lane to the north, and Portsdown Hill Road to the south.
- 2.4 The site comprises undeveloped land (see Photographic Survey Sheets – attached as Appendix 2) that occupies an area of approximately 3.67 ha. The site is currently used for grazing, with the northern part of the site gently sloping down to the stream which passes through the site. The southern land parcel is also used for grazing and slopes gently up from the stream, becoming steep for a section adjacent to the dwellings in Brooklands Road, before flattening out as one approaches the end of the site.
- 2.5 The site contains a number of mature trees. Most of these are found along the site boundaries, particularly the northern and western boundaries although there is a group of trees along the stream corridor. This group, (in addition to a number of others) are the subject of a Tree Preservation Order.
- 2.6 The site is a sustainable location for new residential development being within viable walking/cycling distances of both local facilities in Bedhampton and higher order facilities and employment areas in Havant. The site is also within

recognised walking / cycle distance of mainline rail services as well as being located close to frequent bus routes.

- 2.7 Aside from being allocated as a reserve housing site in the adopted Havant Borough Local Plan, there are no other specific environmental, landscape, ecological or archaeological designations that are known to apply to the site. Littlepark Wood (to the north of the site) is designated as a Site of Importance for Nature Conservation (SINC).

3.0 RELEVANT PLANNING HISTORY

3.1 This section sets out the relevant planning history of the application site.

Previous Planning Applications

3.2 There have been a number of planning applications made on parts of the application site. The application of greatest relevance to the proposed scheme however is the application which was submitted in August 2010 that sought outline planning permission for the development of 92 dwellings on the site.

3.3 Although the application was recommended for approval by the Council's planning officers, with no objections from any of the statutory consultees including the Highway Authority, the Environment Agency, Natural England and the Council's Environmental Health officers, it was refused permission by the Council's Development Management Committee (DMC). A copy of the detailed committee report prepared by the officers is attached as Appendix 3.

3.4 An appeal was subsequently lodged against the DMC's decision to refuse planning permission for the scheme. The appeal was heard at a Public Inquiry earlier this year. Whilst the appeal was dismissed, this was on a technicality and the appeal Inspector made it clear that he considered the proposed scheme to be acceptable in all respects. A copy of the Inspector's appeal decision is attached as Appendix 4.

3.5 In terms of other applications, an application was made in 1991 which sought permission for the development of 36 dwellings on the small triangle of land at the southernmost point of the application site. At the time the application was made, the site formed part of a Strategic Gap which had been designated in the Havant Borough Local Plan (the predecessor to the District Wide Local Plan). The application was refused and an appeal was lodged against the refusal. The appeal was also dismissed, with the Inspector citing the prominence of this part of the application site as well as its inclusion within an

area forming part of a Strategic Gap as the reasons why permission should be refused.

- 3.6 As explained in the following paragraphs, the planning context of the site has changed significantly since the appeal for the 36 unit scheme was dismissed, with the site being removed the Strategic Gap and being allocated as a reserve housing allocation. It is for these reasons (as well as the recent appeal Inspectors clear endorsement of the proposed 92 dwelling scheme) that the 92 dwelling scheme is being resubmitted.

Havant Borough Local Plan

- 3.7 As stated in Section 1 of this statement, the site is allocated as a reserve housing site in the adopted Havant Borough District Wide Local Plan. The site was promoted to the Council during the preparation of the (now) adopted Local Plan. When the First Deposit Draft version of the District Wide Local Plan was produced, both members and officers agreed to identify the site as a reserve housing allocation. This was partly on the basis of the high score the site achieved on the accessibility matrix the Council had devised to assess the sustainability of potential allocations. The site was identified as a reserve rather than baseline site due to the Council's perceptions about the noise the site suffered from the A3(M).
- 3.8 As a result of objections it received to the proposed allocation of the site, when the Council produced the Revised Deposit Draft version of the District Wide Local Plan, it deleted the site as a reserve housing allocation. This resulted in objections being submitted on behalf of the applicants, in respect of the deletion of the proposed housing allocation.
- 3.9 At the Local Plan Inquiry, a case was presented to the Inspector to demonstrate that the site was suitable for residential development and the Council were wrong to not have allocated it as a reserve housing allocation in the Revised Deposit Draft version of the District Wide Local Plan. The

Inspector agreed that the site was suitable for allocation as a reserve housing site and recommended that the Council reinstate the reserve housing allocation on the site. The Council accepted this recommendation and reinstated the reserve housing allocation on the site when it formally adopted the District Wide Local Plan. At the same time, the Council excluded the site from the Strategic Gap in light of both the Appeal Inspector's comments regarding the impact the construction of the A3(M) on the site and its allocation as a reserve housing allocation.

Pre-Application Discussions/Consultation

- 3.10 Prior to the submission of the refused application, extensive discussions were undertaken with planning, urban design, highways, drainage, arboricultural and housing officers at Havant Borough Council (HBC). Discussions have also been undertaken with highways and education officers at Hampshire County Council (HCC), officers at the Environment Agency and Southern Water.
- 3.11 As detailed in the Addendum to the Statement of Community Involvement (SCI), pre-application consultation on the scheme has also been extensive and has included presentations to the Havant and Bedhampton Community Board and Developers Consultation Forum, as well as meetings with officers from the Borough Council, Hampshire County Council and Environment Agency. Local community groups and members of the public have also been consulted regarding the proposed scheme at a separate Community Consultation event. Further details about this and the presentations to the Community Board and Developers Consultation Forum can be found in the Addendum to the SCI which has been prepared and which forms an integral part of this application.
- 3.12 Prior to the development of proposals for the application site, pre-application discussions were held with the Council's Planning Policy officers to establish there would be no "in principle" policy objection to the submission of a planning application for the residential development of the site.

- 3.13 As described in Section 4 of this statement, following an appeal decision on an allocated reserve housing site in East Hampshire District and seeking advice from counsel, policy officers confirmed they would not be an “in principle” policy objection to the submission of a planning application for the residential development of the application site.
- 3.14 Following the abolition of the South East Plan, the Council once again sought advice from counsel as to whether it could proceed to determine planning applications for the residential development of the allocated reserve sites. By this time, a planning application (which has since been approved) had been submitted by White Young Green on behalf of Linden Homes in respect of the allocated reserve site at Hampshire Farm, Emsworth. The Council reconfirmed in an email (copy attached as Appendix 5) that there would be no “in principle” policy objection to the submission of a planning application for the residential development of the application site.

4.0 RELEVANT PLANNING POLICIES

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act, 2004) requires that in making any determination under the Planning Acts, Local Authorities shall make the determination in accordance with the policies of the Development Plan unless other material considerations indicate otherwise. Other material considerations in this instance relate principally to the advice contained in National Planning Guidance.

Development Plan Policies

- 4.2 The Development Plan for the area in which the application site is located currently comprises:

- the **Regional Spatial Strategy for the South East** (more commonly known as The South East Plan); and
- the **Havant Borough Core Strategy**.

- 4.3 The Localism Act has now received Royal Assent and contains the legislation required to abolish the Regional Spatial Strategies (RSS). Whilst at the time of writing, the RSS have not been formally abolished, there is a clear expectation that they will be in the near future. Limited weight should therefore be attached to those policies contained within the South East Plan.

Regional Spatial Strategy for the South East

- 4.4 The Regional Spatial Strategy for the South East contains a number of policies which are of relevance when considering the proposed scheme. These are

- SP3 (Urban Focus and Urban Renaissance);
- CC1 (Sustainable Development);
- CC2 (Climate Change);

- CC3 (Resource Use);
- CC4 (Sustainable Design and Construction);
- CC7 (Infrastructure and Implementation);
- CC8 (Green Infrastructure);
- H1 (Regional Housing Provision 2006-2026);
- H2 (Managing the Delivery of the Regional Housing Provision);
- H3 (Affordable Housing);
- H4 (Type and Size of New Housing);
- H5 (Housing Design and Density);
- T1 (Manage and Invest);
- T2 (Mobility Management);
- T4 (Parking);
- T5 (Travel Plans and Advice);
- NRM1 (Sustainable Water Resources and Groundwater Quality);
- NRM2 (Water Quality);
- NRM4 (Sustainable Flood Risk Management);
- NRM5 (Conservation and Improvement of Biodiversity);
- NRM9 (Air Quality);
- NRM10 (Noise);
- NRM11 (Development Design for Energy Efficiency and Renewable Energy);
- M1 (Sustainable Construction);
- C4 (Landscape and Countryside Management);
- C6 (Countryside Access and Rights of Way Management);
- BE6 (Management of the Historic Environment);
- S6 (Community Infrastructure);
- SH5 (Scale and Location of Housing Development 2006-2026);
- SH6 (Affordable Housing);
- SH7 (Sub-Regional Transport Strategy); and
- SH8 (Environmental Sustainability).

Havant Borough Core Strategy

4.5 The Havant Borough Core Strategy contains a number of policies which are of relevance when considering the proposed scheme. These are

- CS1 (Health and Wellbeing);
- CS7 (Community Support and Inclusion);
- CS8 (Community Safety);
- CS9 (Housing);
- CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough);
- CS13 (Green Infrastructure);
- CS14 (Efficient Use of Resources);
- CS15 (Flood and Coastal Erosion Risk);
- CS16 (High Quality Design);
- CS17 (Concentration and Distribution of Development within the Urban Areas);
- CS19 (Effective Provision of Infrastructure);
- CS20 (Transport and Access Strategy);
- CS21 (Developer Requirements);
- DM8 (Conservation, Protection and Enhancement of Existing Natural Features);
- DM10 (Pollution);
- DM11 (Planning for More Sustainable Travel);
- DM12 (Mitigating the Impacts of Travel); and
- DM13 (Car and Cycle Parking on Residential Development).

Material Considerations

4.6 The National Planning Policy Framework (NPPF) was published on 27 March 2012. It replaces all existing planning policy guidance / statements (to the extent set out in Annexe 3 of the NPPF) and sets out the Government's economic, environmental and social policies for England. At the heart of the NPPF is a 'presumption in favour of sustainable development, which should be

seen as a golden thread running through both plan-making and decision-taking' (paragraphs 14, 49 and 197).

- 4.7 Paragraph 2 of the NPPF states that applications for planning permission must be determined in accordance with the policies of the development plan unless material considerations indicate otherwise. The paragraph goes on to state that the NPPF is a material consideration when determining planning applications.
- 4.8 Paragraph 6 of the NPPF advises that the role of the planning system is to contribute to the achievement of sustainable development, whilst paragraph 7 advises that there are 3 dimensions to sustainable development and goes on to explain that these require the planning system to perform a number of roles, namely an economic role, a social role and an environmental role. Paragraph 8 advises that these roles should not be undertaken independently because they are mutually dependent.
- 4.9 Paragraph 10 of the NPPF advises that plans and decisions need to take local circumstances into account.
- 4.10 Paragraph 12 advises that the NPPF does not change the statutory status of the development plan as the starting point for decision making. It goes on to advise that proposed development that accords with an up to date plan should be approved and proposed development that would conflict with it should be refused unless other material considerations indicate otherwise.
- 4.11 Paragraph 13 advises that the NPPF constitutes guidance for LPA's and decision takers and is a material consideration in determining planning applications.
- 4.12 Paragraph 14 advises that at the heart of the NPPF is a presumption in favour of sustainable development. It goes onto to advise that for decision taking, this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted

4.13 Paragraph 17 of the NPPF sets out a set of 12 core land use planning principles that should underpin both plan making and decision taking. I consider that having reviewed these that the 3rd, 7th and 11th principles are the ones of principal relevance to this appeal.

4.14 Section 6 of the NPPF is entitled “Delivering a wide choice of high quality homes”. Paragraph 47 of the NPPF states that LPA’s should significantly boost the supply of housing by:

- Using their evidence base to ensure that the Local Plan meets the full objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework, including identifying key sites which are critical to the delivery of the housing strategy over the period;
- Identifying and updating annually a supply of specific deliverable sites to provide 5 years worth of housing against their housing requirements with an additional buffer of 5% or 20% (moved from later in the plan period) to ensure choice and competition in the market for land;
- Identifying a supply of specific developable sites or broad locations for growth for years 6-10 and where possible, years 11 – 15
- Illustrating the expected rate of housing delivery through a housing trajectory for the plan period

- 4.15 Paragraph 48 of the NPPF advises that LPA's may include an allowance for windfall sites in the five year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Paragraph 48 goes on to state that any allowance should be realistic and should not include sites which form residential gardens.
- 4.16 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a 5 year housing land supply.
- 4.17 Section 6 of the NPPF provides definitions of deliverable and developable. These are contained in footnotes 11 & 12. I note that Footnote 11 states that *"sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within the 5 years"*.
- 4.18 Paragraph 150 of the NPPF states that Local Plans are the key to delivering sustainable development and planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.
- 4.19 Paragraph 157 sets out a number of matters that Local Plans should consider and respond to. The 4th bullet point states that Local Plans should:

"indicate broad locations for strategic development on a key diagram and land use designations on a proposals map"

The 5th bullet point states that Local Plans should:

"allocate sites to promote development and flexible use of land, bringing forward new land where necessary"

- 4.20 Paragraph 159 of the NPPF states that LPA's should have a clear understanding of housing needs in their area and should prepare a Strategic Housing Market Assessment and a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 4.21 Paragraph 196 of the NPPF reinforces the advice provided in earlier parts of the NPPF that planning applications should be determined in accordance with the policies of the development plan, unless material considerations indicate otherwise.
- 4.22 Paragraph 211 of the NPPF advises that for the purposes of decision taking, the policies in the Local Plan should not be considered out of date because they were adopted prior to the publication of the NPPF.
- 4.23 Lastly, paragraph 214 advises that for 12 months from the date of the publication of the NPPF, decision takers may give full weight to development plans adopted since 2004, even if there is a degree of conflict with the NPPF.
- 4.24 In terms of other material considerations, the Council is currently in the process of preparing its Site Allocations DPD. Whilst the DPD is still at a relatively early stage, it is relevant to note that the application site features in all 3 development options being proposed by the Council. A copy of the information about the site that is being used for the preparation of the Site Allocations DPD is attached as Appendix 6.
- 4.25 The Council has produced its own Residential Parking Standards and Cycle Provision Supplementary Planning Document. This provides guidance on the level of new car and cycle parking that should be provided in new residential developments.

- 4.26 The Council has also produced SPG on the provision of play space in new residential developments.
- 4.27 The final material consideration that needs to be taken into account when considering the proposals for the application site is the appeal decision (ref APP/M1710/A/08/2087641) on a site known as Silent Garden in Liphook, which comprised a reserve housing allocation in the adopted East Hampshire District Local Plan. An application for the development of the reserve site was submitted by the landowners as they considered that East Hampshire District Council was unable to demonstrate a 5 year housing land supply, as required by PPS 3. East Hampshire District Council refused the application however, as it considered that it could demonstrate a 5 year housing land supply. An appeal was subsequently lodged against the Council's decision to refuse planning permission.
- 4.28 The Inspector upheld the appeal, granting planning permission for the development of the Silent Garden Site. The Inspector's decision notice established a number of important matters which are relevant to the scheme subject of this application. Firstly, the Inspector confirmed that Reserve Housing sites formed part of the overall housing land supply. Secondly, he acknowledged the advice contained in PPS3 where an application is submitted for a site which is allocated as part of the overall housing land supply but does not yet form part of the up to date 5 year housing land supply and considered the harm that may occur by permitting the development of such sites. Thirdly, he attached great importance to the ability of the site to deliver a significant amount of affordable housing (in that instance 37% of the total number of dwellings).

5.0 DEVELOPMENT CONSTRAINTS / OPPORTUNITIES

5.1 As stated in previous sections of this statement, the application site is an allocated reserve housing site in the adopted Havant Borough Local Plan. An opportunity therefore exists to provide a new residential development which contributes towards meeting identified housing needs and secures an efficient use of land in a sustainable location. There are however a number of constraints to development. These can be summarised as:

- Noise from the A3(M);
- Surface / Foul Drainage from the site;
- The provision of a satisfactory vehicular access into the site;
- The impact of the development of the site on the local highway network;
- The impact of development on protected species that may potentially be present on the site;
- The impact of the scheme on existing protected and non protected trees present on the site;
- The impact of the scheme on areas of archaeological interest; and
- The impact of the scheme on adjoining residential properties.

5.2 In order to devise a redevelopment scheme which responded to both the development constraints and opportunities as well as meeting planning policy requirements, a thorough and careful analysis of the application site and its surroundings has been undertaken. As a first stage, detailed information on the site and its surroundings was obtained. This information included a digital site survey as well as Arboricultural, Acoustic, Archaeological and Ecological surveys.

5.3 In addition to the above, a comprehensive analysis of the application site and its immediate surroundings has been undertaken. A copy of the Contextual Analysis Plan is attached as Appendix 7.

5.4 The contextual analysis and other surveys undertaken has revealed the following:

- The majority of development around the site is residential, with most houses being 1 or 2 storey detached or semi-detached properties;
- There is a significant group of trees in the centre of the site (most of which are the subject of a Tree Preservation Order). These are located along the corridor of the stream (the Bedhampton Brook) which crosses the site;
- The Bedhampton Brook has resulted in localised flooding in the past. This has been due to the lack of maintenance of the grill where the stream enters a culvert. The Bedhampton Brook has now been enmained by the Environment Agency and any development proposals need to preserve access to the stream corridor to enable access for maintenance;
- Any surface water runoff generated by the proposed development needs to be mitigated on site;
- There are existing problems with the foul drainage in Brooklands Road, which the proposed scheme should not compound
- The site is impacted to some extent by the adjacent A3(M) in terms of noise. However, a recent noise survey of the site has revealed that the majority of the site is suitable for residential development;
- The land at the far southern end of the site is unsuitable for development and should be retained as informal open space. An opportunity also exists to create a direct connection between the site and Portsdown Hill Road to give future residents more direct access to public transport services and local facilities;

- There are a number of protected trees present on the site which need to be retained;
- A number of protected species have been found to be present on the site and these need to be relocated;
- There is the route of a former Roman Road directly to the north of the site and hence there is the potential for archaeological remains to be present; and
- Vehicular access to the site should be provided from Brooklands Road, with a secondary footpath / cycleway / emergency access provided onto Scratchface Lane

5.5 As a result of the above analysis, it was possible to identify a number of key factors which should influence any development proposals for the site. These were:

- A development scheme should make the most efficient use of the developable parts of the site whilst respecting the character and appearance of the locality;
- The southernmost part of the site should not be developed and should be used as informal open space or allotments (for which there is a significant demand);
- Development needed to be contained within the areas of the site that were subject to appropriate noise levels;
- Vehicular access to the site should be provided from Brooklands Road;

- An opportunity existed to create a direct connection between the site and Portsdown Hill Road, to give both existing and future residents more direct access to local facilities;
- The development should not negatively impact upon any of the trees that are to be retained;
- A buffer zone along the Bedhampton Brook needed to be retained;
- The proposed scheme needed to regulate and control any surface water runoff it generated;
- A scheme for the development of the site needed to achieve an acceptable relationship with the areas of existing housing adjacent to the site.

6.0 THE PROPOSED SCHEME

- 6.1 The proposed scheme seeks to balance the requirement to ensure the efficient use of land with the need to provide a form of development that is attractive and respects the character of the site and the local area.

Description of Proposed Scheme

- 6.2 A total of 92 open market and affordable housing units are proposed, with 40% of these being affordable units.

- 6.3 In terms of Open Market units, there would be:

- 4 x 1 bed flats;
- 5 x 2 bed flats;
- 15 x 2 bed terraced & semi-detached houses;
- 23 x 3 bed terraced, semi-detached and detached houses; and
- 9 x 4 bed detached houses.

- 6.4 In terms of affordable dwellings, there would be:

- 11 x 2 bed terraced or semi detached houses; and
- 21 x 3 bed terraced or semi-detached houses; and
- 4 x 3 bed detached houses.

- 6.5 Further information about the proposed affordable dwellings, including their tenure, is provided in the Affordable Housing Statement which has been prepared and submitted in support of this application.

- 6.6 To reflect the character of the area, the majority of the proposed dwellings would be houses, with only a small number of flats (9). All of the houses would be 2 storey. 5 of the flats would be provided in a 2.5 storey block. The

remaining four (one bed) flats would be provided over archways to the parking courts or over garage blocks.

- 6.7 In light of the information contained in both this and previous sections of this statement, a higher number of dwellings (92) than the figure contained in the adopted Local Plan (65), is proposed. This is because at the time of allocation, the Local Plan Inspector did not have available to him, the detailed information on site constraints that has been obtained and hence underestimated the extent of developable land on the site.

Evolution of the Scheme

- 6.8 Before describing the detailed elements of the proposed scheme, it is relevant to describe how the proposed scheme has been arrived at.
- 6.9 As stated in Section 3 of this statement, extensive consultation has been undertaken with both officers from Havant Borough Council and other bodies as well as members of the public. This revealed that there were a number of issues that development proposals needed to address. Acoustic, arboricultural, archaeological, drainage, highways and noise studies were all commissioned in response to the issues raised and these have informed the proposed scheme.
- 6.10 Following the results of the various surveys, a site constraints plan (a copy of which is attached as Appendix 8) was prepared to clearly identify the areas of the site that were developable and not developable.
- 6.11 Consideration of this plan lead to the preparation of a concept plan (a copy of which is attached as Appendix 9) upon which the proposed scheme has been based. The key concepts were:
- Vehicular access from Brooklands Road, with the priority changed so that Brooklands Road continues on into the application site;

- The provision of new pedestrian / cycle connections to the ends of the application site at Scratchface Lane and Portsdown Hill Road respectively;
- The provision of a central green space to act as a focal point and unite the two parts of the site;
- The provision of a “street” on the northern land parcel which overlooked and provided natural surveillance of the central green space as well as providing a clear and legible route;
- The provision of an appropriate visual end stop at the end of the “street” to terminate the vista; and
- The provision of a separate enclave of development on the southern part of the application site which also provided natural surveillance of the central green space as well as the proposed allotments and footpath / cyclepath connection to Portsdown Hill Road.

6.12 The proposed scheme is based upon these concepts and seeks to provide a form of development which has its own clearly identifiable character and is “somewhere” rather than “anywhere” or “nowhere”. This has been achieved by recognising the development constraints and opportunities as well as those features that contribute to giving the site its current character of the site and working with these to produce a scheme which has a clearly identifiable character. An accurate 3D model of the proposed scheme has been prepared to demonstrate how it would provide an attractive new form of development that was in keeping with its surroundings. Images of the proposed scheme are attached as Appendix 10.

6.13 In light of the concerns raised, especially by local residents, regarding the proposed scheme, the remainder of this section provides information on specific aspects of the proposed scheme.

Access

6.14 As referred to earlier in this statement, vehicular access to the site is proposed from Brooklands Road. Access from Brooklands Road was agreed at the

- Local Plan Inquiry. In view of the increase in the number of proposed dwellings over that contained in the adopted Local Plan, further discussions have been undertaken with highways officers at both Havant Borough Council and Hampshire County Council. They have confirmed that the proposed site access would be suitable.
- 6.15 At the Community Consultation event, a number of residents raised concerns about the ability of construction traffic to access the site. This is considered in the Transportation Assessment.
- 6.16 As stated in the Transportation Assessment, only the site access itself and the first 20m of carriageway would be adopted by the Council. The remainder of the internal layout would not be adopted and would be maintained by a management company. The internal highway network has been designed to operate as a 20mph “Home Zone”, with a number of shared surfaces and pavements only provided on one side of the main estate road. The internal road layout has been the subject of Autotrack analysis to demonstrate that a refuse vehicle (and other large vehicles) would be able to negotiate the site. Details of the Autotrack analysis are contained in the Transportation Assessment.
- 6.17 Further information about the proposed site access, as well as the impact of the proposed scheme on the local highway network can also be found in the Transportation Assessment.
- 6.18 Pedestrian and Cycle accesses have also been proposed at the northern and southern ends of the application site at the request of highways officers. The proposed access onto Scratchface Lane would also double as an emergency access, in the event that the main access from Brooklands Road became blocked and emergency vehicles needed to access the site.

Surface Water Drainage

- 6.19 It is understood that since the Environment Agency enmained (took control of) the Bedhampton Brook, the localised flooding that had previously occurred has stopped. This is due to regular maintenance of the culvert under Brooklands Road which the stream enters.
- 6.20 It is accepted that the site if developed would result in increased surface water runoff, due to the increase in impermeable areas. To ensure that the proposed scheme would not result in an increased risk of flooding, a sustainable drainage scheme to control surface water runoff generated by the scheme has been designed. This would involve surface water drainage being directed to a number of swales / detention basins. These have been designed as dry features which would only hold water in times of prolonged rainfall. This would then either naturally percolate or be released at a rate equivalent to Greenfield runoff i.e. no different to the existing situation into the Bedhampton Brook. Further information about this is contained in the Flood Risk Assessment and Drainage Statement which has been prepared and submitted in support of the proposed scheme.
- 6.21 The proposed scheme would also improve access to the stream, which would assist in the maintenance of the culvert and the prevention of localised flooding.

Foul Drainage

- 6.22 In view of the existing issues in Brooklands Road, the proposed scheme would connect to the existing sewer in Scratchface Lane, which Southern Water have confirmed has sufficient capacity to accommodate the foul flows that the proposed scheme would generate (see FRA and Drainage Strategy). To facilitate this, a pumping station will be provided on site. This has been sited on the western site boundary, well away from both existing and proposed properties.

Noise

- 6.23 Up to date noise surveys, which have been carried in accordance with a methodology agreed with the Council's Environmental Health Officers, have been undertaken. These demonstrate that the majority of the site is suitable for residential development, within only part of the southern section of the application site being unsuitable. As a result no dwellings have been located in this area.
- 6.24 Further information about the noise levels experienced at the site and the suitability of the majority of the site for residential development, is provided in the Noise Impact Assessment report, which has been prepared and submitted in support of the proposed scheme.

Open Space

- 6.25 Policies contained within the adopted Local Plan (as referred to in section 3 of this statement) require new residential developments to make provision for a number of different types of open space. Financial contributions are often provided to fund provision of open space off-site as it is not always possible or appropriate to provide certain types of open space on development sites.
- 6.26 Following discussions with the Council's Open Space Officer, it has been agreed that no equipped play areas should be provided on the application site, due to the proximity of the existing play area on Scratchface Lane. A large amount of informal open space (0.4 ha) which future residents could use for informal recreation, has however been provided. This is principally within the central green space.
- 6.27 In view of the inappropriateness of the most southerly part of the application site for development, as well as the significant need we have been advised exists for allotments, it is proposed that this part of the site would be used to provide a number of allotments. Further details of these would be provided at the Reserved Matters stage.

Density

- 6.28 The density of the proposed scheme would be approximately 28.5 dwellings per hectare (dph). This compares favourably with the adjacent residential areas which have densities of 24 dph (Brooklands Road) and 32 dph (Hillmead Gardens) respectively. The previous minimum density requirement of 30 dph has recently been abolished with more emphasis now being placed on new development respecting the character of its surroundings than being density driven. The proposed scheme reflects this guidance.

Trees

- 6.29 The design of the proposed scheme has been both informed and influenced by the arboricultural constraints imposed by the existing mature trees present on the application site (some of which are the subject of TPOs). The application is supported by an Arboricultural Impact Assessment, which clearly demonstrates that the proposed scheme would not have a negative impact on the root protection areas of those trees to be retained. Further details about the proposed scheme's impact on the existing trees are dealt in the Arboricultural Impact Assessment prepared by CBA Trees which has been prepared and submitted in support of the proposed scheme.

Amenity

- 6.30 Careful consideration was given in the preparation of the proposed scheme to ensuring that the proposals would not have a negative impact on the amenities of neighbouring properties by virtue of overlooking / loss of privacy, overbearing or overshadowing. It should be noted that the distances between the proposed dwellings and existing dwellings adjacent to the site comfortably exceed the usual distance (21m) regarded as being acceptable in terms of facing windows, with most of the dwellings have separation distances of 25m or more.
- 6.31 At the community consultation, a number of residents occupying properties adjacent to the site enquired about boundary treatments. Further information

on amenity related considerations will be provided at the Reserved Matters stage but it is envisaged that boundary treatments would comprise a 1.8m closeboarded fence together with supplemental landscaping (as shown indicatively on the proposed site layout plan).

Parking

- 6.32 The proposed level of car and cycle parking would accord with the Borough's parking standards. Further information about the amount of car and cycle parking that has been provided is contained in the Transportation Assessment.
- 6.33 Parking spaces have either been provided on plot or in parking courts close to the properties they would serve. To demonstrate that where parking spaces have been provided on plot, they would not have a detrimental impact on the streetscene, an indicative image of how these areas would be treated is attached as Appendix 11.

Archaeology

- 6.34 An archaeological assessment of the application site was undertaken by CGMS as the area in which the site is located was identified as being of some archaeological potential. The report confirms that further archaeological investigation work will be required, although it is expected that any potential archaeological deposits are unlikely to be of such significance to warrant preservation in situ. It is considered that any further work can be undertaken following outline planning consent (should it be granted). The report contains a suggested planning condition that has been agreed by the County Archaeologist.

7.0 HEADS OF TERMS

7.1 A Section 106 agreement has been prepared which provides a legal mechanism for securing the financial contributions (and other measures) that will be provided as part of the proposed scheme. These are:

- 1 **Off site highway improvements** (including but not limited to);
 - Shared off road pedestrian/cycle path including on road advisory cycleway - in vicinity of Hulbert Road/Park Lane.
 - Convert footpath to shared use on Hulbert Road and provide on-road cycle route on Newbarn Road.
 - Off road shared cycleway from A2030 Havant Road and Bidbury Lane. Bedhampton to Harts Farm Way via Bidbury Mead upgrade of footpath 30 to shared cycle route.
 - Hulbert Road/Bedhampton traffic signalled junction - safety improvements to right turning vehicles.
 - Bus stop/shelter upgrades on routes 21, 23, 36 and 63.
 - Bedhampton Rail Station footbridge cycle wheel gully.
 - Staunton Road footbridge cycle wheel gully.
 - Scratchface Lane to Crookhorn Lane upgrade Bridleway for shared use.
- 2 **Residential Travel Plan;**
- 3 **Section 278 Agreement with Hampshire County Council** (to deliver junction requirements for the Brooklands Road site entrance);
- 4 **Contribution in relation to traffic management measures** (if required)
- 5 **Management arrangements for new roads, including street cleaning and street lighting.**
- 6 **Open Space** (including):
 - On site open space management and maintenance arrangements; and
 - Design and specification of the SUDS system including future management arrangements (see Drainage below)
- 7 **Reptile relocation area** (including provision, management, maintenance and access arrangements)
- 8 **Drainage** (including):

- A timetable for its implementation;
- Design specifications of the SUDS; and
- 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 (see Management of Site below).

9 **Public access across site** (including):

- Securing public rights of way and gaining access within the site to the public open space and to cycle/pedestrian routes; and
- Provision of a cycleway/footpath to the southern and northern boundary of the site.

10 **Affordable Housing** (including):

- Agreement to the provision of 39% affordable housing;
- Affordable housing units to be integrated and compatible with the design of Open Market Housing Units;
- Phasing of affordable housing provision;
- Design Standards;
- Long term management agreements;
- Nomination arrangements; and
- Tenure mix.

11 **Management of the site and facilities** (in the form of the establishment of a Management Entity to maintain and manage the open spaces, POS, estate roads, SUDS and reptile receptor site within the residential development area).

8.0 CONCLUSIONS

- 8.1 The proposed scheme involves the development of a site allocated in the adopted Local Plan for new housing.
- 8.2 The suitability of the site as a location for new housing has been endorsed twice now, once by the Local Plan Inspector and secondly the appeal Inspector.
- 8.3 Extensive consultation has been undertaken in relation to the proposals for the development of the site and the issues raised have been carefully examined and solutions identified.
- 8.4 The proposed scheme seeks to provide an attractive development which has its own sense of place, yet does not jar with the character of the surrounding area.
- 8.5 The proposed scheme would also make an important contribution to meeting the significant identified need for affordable housing within the Borough.
- 8.6 It has been agreed that with the provision of the contributions / measures referred in Section 7 of this statement, the proposed scheme would represent sustainable development. It should therefore be permitted in accordance with the presumption in favour of sustainable development contained within the NPPF.

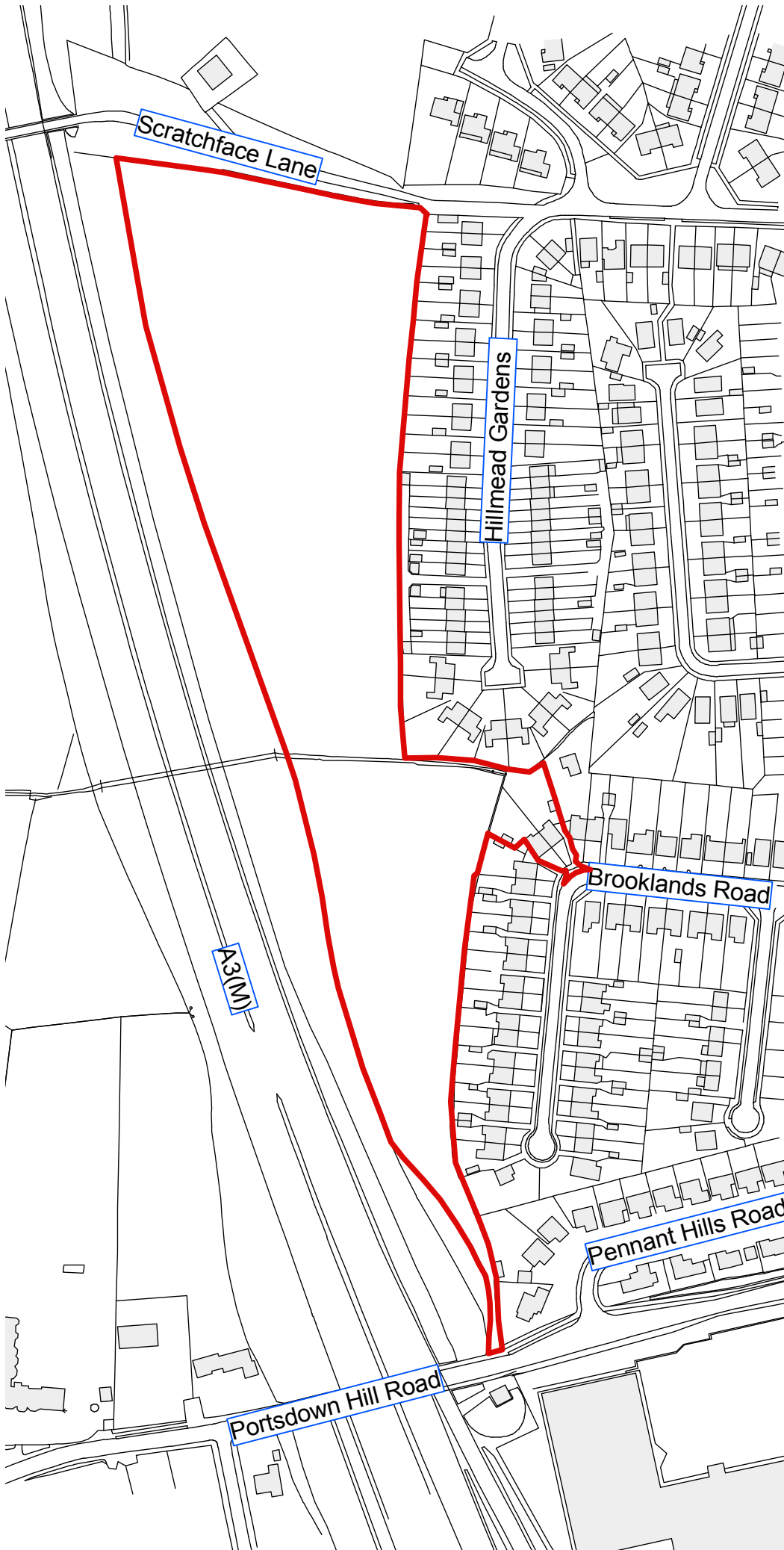
APPENDICES

APPENDIX 1	Site Location Plan
APPENDIX 2	Photographic Survey of Site and Surroundings
APPENDIX 3	Copy of Committee Report
APPENDIX 4	Copy of Appeal Decision
APPENDIX 5	Copy of email from Havant Borough Council
APPENDIX 6	Copy of material relating to application site being used for the Site Allocations DPD
APPENDIX 7	Copy of Contextual Analysis
APPENDIX 8	Copy of Constraints Plan
APPENDIX 9	Copy of Concept Plan
APPENDIX 10	3D images of proposed scheme
APPENDIX 11	Indicative detail for treatment of on-plot parking areas

APPENDIX 1

Site Location Plan

REV:	DATE:	AMENDMENTS:	DRAWN:	CHECKED:
#	Aug 10		JB	JH



CLIENT:
Crayfern Homes

PROJECT:
**Land off Scratchface Lane,
Bedhampton**

DRAWING:
Site Location Plan

SCALE: **1:2500** DWG NO: **9982/P01**
@ **A4**

DATE: **Aug 10** REV: **#**



● Grosvenor Court, Winchester Road, Ampfield, Winchester, Hants. SO51 9BD
Tel: 01794 368 698 Fax: 01794 368 637
○ Market House, Commarket, Wimborne, Dorset. BH21 1JL
Tel: 01202 840405 Fax: 01202 840406
○ St Mary's House, 40 London Road, Newbury, Berkshire. RG14 1LA
Tel: 01635 40164 Fax: 01635 41459

APPENDIX 2

Photographic survey of site & surroundings



1. View looking south across application site from high ground adjacent to Scratchface Lane



2. View looking north-west across application site at existing access onto Scratchface Lane and Littlepark Wood



3. View looking south at Bedhampton Brook



4. View looking north-west at application site boundary with A3(M)



5. View looking south-west across the southern part of the application site



6. View looking north across the southern part of the application site from the high ground to the south



7. View looking north across the application site from the high ground to the south



9. View looking north across the northern part of the application site



10. View looking north-east across the application site towards Hillmead Gardens



11. View looking south-east across the northern part of the application site towards Hillmead Gardens



11. View looking south-east across the northern part of the application site from the footbridge across the A3(M)



12. View looking east at the application site from the footbridge over the A3(M)



13. View looking north at the application site from Portsdown Hill Road over the A3(M)



14. View looking north at existing access to the application site from Portsdown Hill Road



15. View looking west along Scratchface Lane towards application site



16. View looking west along Public Footpath towards application site



17. View looking west along Brooklands Road towards proposed new access



18. View looking west along Brooklands Road towards proposed new access



19. View looking north-east along Brooklands Road towards proposed new access



20. View looking north-east towards proposed new access to the application site

APPENDIX 3

Copy of Committee Report

Application Number: APP/10/00497

Ward: Bedhampton

Site Address: Land south of Scratchface Lane, adjacent to A3M and West of Brooklands Road & Hillmead Gardens, Havant

Applicant: Crayfern Homes Ltd

Team: 1

Agent: Pro Vision Planning and Design

Case Officer: Mr D Eaves

13 Week Date: 12/11/2010

Reason for Committee Consideration: At the request of Councillor Wride

Proposal: Outline application for the erection of 92No. open market and affordable dwellings comprising 4No. 1 bed flats; 4No. 2 bed flats; 31No. 2 bed houses; 44No. 3 bed houses; 9No. 4 bed houses; new pumping station; new vehicular access from Brooklands Road including demolition of 2No. dwellings; and new pedestrian and cycle accesses onto Scratchface Lane and Portsdown Hill Road.

Density: Approximately 25 dwellings/ha

EHPBE Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site lies approximately 2 km to the west of Havant Town Centre. The land is bounded to the west by the A3(M), to the east by Hillmead Gardens and Brooklands Road, to the north by the public footpath from Scratchface Lane over the A3(M) and to the south by the B2177 Portsdown Hill Road.
- 1.2 The site is roughly an elongated triangle in shape tapering towards its southern end and the B2177. The site is undulating falling from the south to the north from Portsdown Hill Road at a height of 41m to the central stream with a height of approximately 23m. The land then rises less steeply to the northern site boundary. The north eastern part of the site is relatively flat.
- 1.3 The land itself is relatively open in character and has been grazed by livestock particularly north of the stream. There are trees on site and close to the site boundaries, most notably crossing the site adjacent to the Brockhampton Stream; along the western and northern sides of the site and along parts of the eastern boundary with the properties in Brooklands Road.
- 1.4 The site includes trees and groups of trees protected by Tree Preservation Orders 1934 and 1755. The protected trees are positioned adjacent to the stream in the centre of the site, and to the eastern and western sides of the southern field.
- 1.5 In terms of the surroundings to the site, there are three main areas, the first is formed by the residential properties lying to the east in Hillmead Gardens, Brooklands Road and Pennant Hills; secondly, the A3(M) to the west of the site and its associated landscaping, including banking and trees; and thirdly, the 'Scratchface Lane' footpath and Woodland beyond.

- 1.6 The residential road with the longest site boundary is Hillmead Gardens. These properties consist of semi-detached and terraced two storey houses. The terraced properties have a rear access drive to garages and parking. Brooklands Road contains mainly semi-detached bungalows, with several detached properties of single or two storey design. Finally, two properties in Pennant Hills would adjoin a section of the eastern site boundary these are two storey detached houses.
- 1.7 To the west of the site is the A3(M) a Trunk Road. The road adjacent to the site consists of 3 lanes in each direction (these include slip lanes for nearby junctions to the north and south). The road varies in height in relation to the site, being set above the site at its northern end and below at its southern end. There is a significant bank between the road and the site where the road is set higher and the road lies in a cutting where it is lower. The bank and much of the cutting are extensively planted with trees.
- 1.8 To the north of the site runs the Scratchface Lane footpath. This becomes elevated in relation to the site as you travel west towards the pedestrian bridge over the A3(M). The route links Scratchface Lane/Hillmead Gardens with South Downs College and beyond. The footpath also follows the line of a Roman Road adjacent to the northern end of the application site. To the north of the footpath is an area of Ancient Woodland, known as Littlepark Wood, and designated as a Site of Importance for Nature Conservation (SINC), and subject to a Tree Preservation Order.

2 Planning History

2.1 Reserve Housing Site Allocation History:

The site was allocated as a Reserve Housing Site in the First Deposit Plan of the Havant Borough District Wide Local Plan (HBDWLP) 1996-2011.

As a result of objections received, and the Councils preference for other sites, the allocation was subsequently deleted from the Revised Deposit.

This led to an objection from the sites promoter.

The HBDWLP Inquiry Inspectors Report (April 2004) recommended that the plan be modified by reinstating the site as a Reserve Housing Allocation, with an estimated provision of 65No. dwellings.

The HBDWLP 1996-2011 Statement of Decisions and Reasons on Objections to the Proposed Modifications (August 2005) confirmed the modification to reinstate the site as a Reserve Housing Allocation.

2.2 Planning Applications:

95/53209/004

Erection of hay store, tack room, stable (replacement of existing buildings) and formation of yard with planting using existing access from Portsdown Hill Road. Permitted October 1995.

95/53209/003B (Split decision see also 95/53209/003A)

Retention of storage container as ancillary to the keeping of horses on the land. Refused May 1995.

95/53209/003A

Use of land for the keeping of horses, and retention of associated storage shed and non-residential caravan (used as tackroom). Permitted May 1995

92/53209/002

Outline application for 2No. greenhouses, implement shed, store/shed & trade - sales building utilising access off Portsdown Hill Road, Bedhampton. Refused November 1992.

91/53209/001

Erection of 12No. 1 bed houses, 21No. 2 bed houses, 3No. 3 bed houses as starter/social units and demolition of 2No. bungalows with car parking and access roads. Refused April 1991.

Appeal Dismissed January 1992.

3 Proposal

3.1 The description of the application the subject of this report is as follows:

Outline application for the erection of 92No. open market and affordable dwellings comprising 4No. 1 bed flats; 4No. 2 bed flats; 31No. 2 bed houses; 44No. 3 bed houses; 9No. 4 bed houses; new pumping station; new vehicular access from Brooklands Road including demolition of 2No. dwellings; and new pedestrian and cycle accesses onto Scratchface Lane and Portsdown Hill Road.

3.2 The application has been submitted as an outline application and the submitted form indicates that the access, layout and scale of development are to be considered at this stage. The appearance (detailed design) and landscaping are not to be considered at this stage, although some indicative information is provided in relation to both matters in the application submission.

3.3 Vehicular access to the site is proposed via Brooklands Road, and this is the same access point as was proposed in the Reserved Site allocation in HBDWLP. The construction of the access would result in the demolition of a pair of semi-detached bungalows (No's 34 and 36).

3.4 There would also be two other access points into the site, the first would be an emergency vehicular access from the end of Scratchface Lane. This would also include a pedestrian and cycle route into and across the development. This would link into the wider road and footpath network.

3.5 The second route would be a pedestrian and cycle link to Portsdown Hill Road at the southern end of the site. This would link to retail (Homebase) and leisure (Ten Pin Bowling) units and to Portsdown Hill. There would be a pavement link through the site from the three access points.

- 3.6 The roads internal to the site would enter the site from Brooklands Road with Unit 1 accessing this point of the road, and split close to Brooklands Stream. The southern part of the road would branch to the south and serve Units 2-19. There would be two 'shared surface' zones which would be cul-de-sacs. One of these would link to the pedestrian and cycle route to Portsdown Hill Road.
- 3.7 The northern part of the road would cross the stream via a bridge and would serve Units 20-92. The main section of road would form a dog-leg at its northern end to run parallel to the Scratchface Lane footpath. There would also be two shared surface 'home zones' linking into this route. The emergency access and pedestrian/cycle route to Scratchface Lane would also link into the internal road layout at this northern end of the site.
- 3.8 In terms of the layout, there are significant areas that would not be developed. The southern portion of the site is steeply sloping and would form a reptile reception site, whilst the central area adjacent to stream and large water retention basins to the north and south of the stream would not be built on. Finally, a wildlife corridor along the western boundary and a further smaller drainage feature along the northern boundary would be provided.
- 3.9 In terms of the dwellings to be provided, the units would predominately be two storey, 2, 3 and 4 bed houses, with some 1 and 2 bed flats. The houses would be mixed in form with detached, semi-detached and terraced properties. A total of 9No. flats are proposed; these would comprise a block of 6No. flats in the north-west corner of the site and 3No. other flats over garages. Affordable housing would also be provided in a mix of 2, 3 and 4 bed houses throughout the site. The housing density, mix and tenure are considered in detail in Section 7 of this report.
- 3.10 The planning application is supplemented by the following documents:
- Design and Access Statement
 - Statement of Community Involvement
 - Flood Risk Assessment and Drainage Statement
 - PPG24 Assessment Report (Noise)
 - Transport Statement
 - Interim Travel Plan
 - Affordable Housing Statement
 - Ecological Survey Report
 - Protected Species Report
 - Arboricultural Statement
 - Archaeological Desk Based Assessment

4 Policy Considerations

National Policies

- PPS1 (Delivering Sustainable Development)
- PPS3 (Housing)
- PPS5 (Planning for the Historic Environment)
- PPS7 (Sustainable Development in Rural Areas)
- PPS9 (Biodiversity and Geological Conservation)
- PPG13 (Transport)
- PPG16 (Archaeology and Planning)
- PPG17 (Planning for Open Space and Sport/Recreation)

PPS22 (Renewable Energy)
PPG24 (Planning and Noise)
PPS25 (Development and Flood Risk)

Ministerial Statement:

On the 9th June 2010 Greg Clark, Minister for Decentralisation, made a Ministerial statement announcing the re-issue of PPS3 with the following amendments to be operative from that date:

- The definition of previously developed land in Annex B of PPS3 now excludes private residential gardens; and
- The national indicative minimum density of 30 dwellings per hectare is deleted from paragraph 47 of the statement.

South East Plan

SP3 (Urban Focus and Urban Renaissance)
CC1 (Sustainable Development)
CC2 (Climate Change)
CC3 (Resource Use)
CC4 (Sustainable Design and Construction)
CC7 (Infrastructure and Implementation)
CC8 (Green Infrastructure)
H1 (Regional Housing Provision 2006-2026)
H2 (Managing the Delivery of the Regional Housing Provision)
H3 (Affordable Housing)
H4 (Type and Size of New Housing)
H5 (Housing Design and Density)
T1 (Manage and Invest)
T2 (Mobility Management)
T4 (Parking)
T5 (Travel Plans and Advice)
NRM1 (Sustainable Water Resources and Groundwater Quality)
NRM2 (Water Quality)
NRM4 (Sustainable Flood Risk Management)
NRM5 (Conservation and Improvement of Biodiversity)
NRM9 (Air Quality)
NRM10 (Noise)
NRM11 (Development Design for Energy Efficiency and Renewable Energy)
M1 (Sustainable Construction)
C4 (Landscape and Countryside Management)
C6 (Countryside Access and Rights of Way Management)
BE6 (Management of the Historic Environment)
S6 (Community Infrastructure)
SH5 (Scale and Location of Housing Development 2006-2026)
SH6 (Affordable Housing)
SH7 (Sub-Regional Transport Strategy)
SH8 (Environmental Sustainability)

Core Strategy

CS1 (Health and Wellbeing)
CS7 (Community Support and Inclusion)
CS8 (Community Safety)
CS9 (Housing)

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
 CS13 (Green Infrastructure)
 CS14 (Efficient Use of Resources)
 CS15 (Flood and Coastal Erosion Risk)
 CS16 (High Quality Design)
 CS17 (Concentration and Distribution of Development within the Urban Areas)
 CS19 (Effective Provision of Infrastructure)
 CS20 (Transport and Access Strategy)
 CS21 (Developer Requirements)
 DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
 DM10 (Pollution)
 DM11 (Planning for More Sustainable Travel)
 DM12 (Mitigating the Impacts of Travel)
 DM13 (Car and Cycle Parking on Residential Development)

Saved Policies of the HBDWLP 1996-2011 forming part of the Havant Borough Local Development Framework

H4 (Reserved Housing Sites)
 H4.1 (Scratchface Lane, Bedhampton)
 R17 (Playing Space related to New Housing Development)

5 **Statutory and Non Statutory Consultations**

Arboriculturalist

No objections:

The contents of the supporting Arboricultural Statement from CBA Trees are noted and broadly approved. The significant mature trees on the site are already protected by Tree Preservation Orders. Recommend a condition to remove Permitted Development rights for dwellings close to existing trees. Concern expressed over the future retention and management of trees adjacent to A3(M).

Comment: The trees adjacent to the A3(M) are outside the application site and not within the applicants ownership.

County Archaeologist

The site lies within an area of archaeological potential. Although there are no known sites or findspots within the holding itself, there are a number of significant archaeological sites nearby, and the absence of finds should be considered to reflect the lack of investigation rather than a genuine absence of archaeology. To the west of the site on Portsdown Hill is the Scheduled Ancient Monument of Bevis Grave, a neolithic long barrow. This monument is also known to have a number of Saxon burials associated with it. To the north west is a further scheduled Monument of a Roman Villa site. Again, this site is known to be much more extensive than the scheduled boundary, and probably associated with the Roman road which runs along the northern boundary of the proposed development site. There are further finds of and sites of pre-historic date within the area, and it is likely that previously unknown archaeological sites will be affected by the development.

I understand that this is an Outline application. Although there are unlikely to be any overriding archaeological constraints, I would strongly recommend, in accordance with Planning Policy Statement (PPS) 5 HE6 that an archaeological evaluation - geophysical survey and trenched evaluation - be undertaken prior to the submission of any detailed application.

In any event an archaeological condition should be applied, in accordance with PPS5 HE7.7 and HE12.3 securing the recording of any archaeological finds and features that may be present within the site.

County Ecologist:

The application is supported by two thorough and competent Ecological Survey Reports (Hampshire Ecological Services Ltd - Ecological Survey Report, February-2010) and a Protected Species Survey Report, July 2010. I am confident that these surveys have been carried out to a professional standard and they represent the current conditions on the application site. The surveys show that the site supports roosting bats, a low population of slow worms and common lizards, and provides habitat for nesting birds.

Legally protected species - Reptiles

The revised plan shows that the proposed allotments to the south of the site have been removed and that this area will be solely used as a receptor site for the low population of reptiles identified at the site. This area is the most suitable area for reptiles on the site currently, and provided the other aspects of the reptile mitigation strategy are implemented (i.e. appropriate methods of capture and translocation, vegetation clearance, receptor site enhancements and on-going management of receptor site), I would be satisfied that this would adequately address my concerns over impacts to reptiles.

Legally protected species - Bats

Bats receive strict legal protection under both UK and EU law. As the plans currently stand, it is not believed that the proposals would have any direct impacts on bats or their roosts. No evidence of bat activity has been found in the existing dwellings or the trees to be felled. I therefore have no immediate concerns over the potential impacts on bats.

As there is likely to be some significant period between any decision and commencement of the development, and it is conceivable that ecological conditions would change in this intervening period, I would therefore expect the applicant to commission update surveys of the buildings and affected trees (particularly Tree 38 in the Arboricultural Survey) prior to any enabling works, or at reserved matters stage.

I would also be concerned over potential lighting impacts to foraging bats. The survey identified that an Oak tree to the north west of the site supported a bat roost, and that foraging bats used existing linear features around the site boundary and the central field boundary. As discussed in the survey report, any lighting should be sympathetically designed to minimise impacts on foraging bats. Again, I appreciate that this application is at outline stage at present, but I would expect the applicant to provide details to support any reserved matters application to demonstrate that the lighting has been designed to accommodate foraging and commuting bats. In particular I would be concerned about light-spill from the north-south road as it crosses the existing central field boundary, as well as from any areas of lighting near the hedges and particularly the woodland to the north of the site.

Legally protected species - nesting birds

I would also note that the February 2010 Ecological Report identifies that vegetation clearance should be undertaken in such a manner as to avoid impact to nesting birds. I would therefore advise that that, notwithstanding my previous concerns, should permission be granted, the following condition be added to the decision notice:

- Clearance of any vegetation shall only take place between August and early February' (inclusive). If this is not possible then pre-clearance site checks shall be undertaken by a competent Ecologist to ensure there are no occupied nests present. If necessary, the supervising Ecologist shall maintain a watching brief during the vegetation clearance. Work shall cease in any areas where occupied nests are identified, and an exclusion zone of 5m maintained around such nests, until such time as those nests become unoccupied of their own accord.

County Education

I have now received the updated forecasts for the Bidbury Schools. Given the size of this development (92No. dwellings) I will not be seeking an Education Contribution. However, this means that Bidbury Infant School will be operating at the limit of its capacity, and any further housing development in this catchment area will incur contributions.

Development Engineer/HCC Highways

Summary:

Whilst it is accepted that the development will increase traffic using the surrounding roads, there is sufficient road capacity to accommodate this increase. The only junction where the development traffic will have any noticeable impact is the junction of Portsdown Hill / Maylands Road where the development traffic increases overall flow by 1% in the PM Peak. This increase is not considered sufficient to successfully sustain a highway reason for refusal.

The Highway Authority therefore has no objections to the application having fully assessed the likely impact of the site on the existing highway network. This is subject to the Planning Authority imposing planning conditions with regard to parking, and the construction of the proposed highways (including the proposed footway/ cycleway through the site) and also requiring the Developer to enter into Legal Agreements with regard to the construction of the Brooklands Road junction, the payment of a Transport Contribution, and the provision of money for traffic management measures if required.

Additional conditions required by Highways:

- A Construction Traffic Management Plan, including lorry routes, parking and turning provision to be made on site and a programme for construction shall be submitted and approved.
- Measures to prevent mud from being deposited on the highway shall be submitted and approved
- The roads coloured grey on plans to be constructed to an adoptable standard (standard condition)
- Materials for hard surfacing (road / footway/shared surface) shall be submitted and approved (standard condition)

The Highway Authority Statement is included in full in **Appendix D**.

Environmental Health

The Environmental Health Section has commented several times in relation to this application and have provided further comments on particular aspects in response to third party comments received. The relevant responses are summarised below:

Air Pollution

Although the site is close to a busy motorway, because of its open nature and elevated level, the dispersion of pollutants emitted from traffic will result in concentrations well below the National Air Quality Strategy Objectives and air pollution is therefore not considered to be a material consideration. This view is supported by monitoring in the vicinity.

Noise

Concern has been expressed regarding the exact position of the contour representing the boundary between Noise Exposure Categories NEC B and NEC C. In reality it is far too simplistic to say that dwellings are acceptable at one point and unacceptable a few feet away the other side of a notional line. In any event, precision sound level meters are only accurate to $\pm 1/2$ dB and I would expect to see a greater variation in measured noise levels dependent upon the day of the week and the weather conditions, wind direction etc on the day of measurement.

The Noise Exposure Categories are defined in ranges of noise levels during the daytime and at night. At this site the “boundary” between NEC B and NEC C is in one position by day and another position by night and the contour drawn on the map presumably lies somewhere between the two possible boundaries.

Noise mitigating measures would need to be included in the design of the dwellings for both NEC B and NEC C areas e.g.

- Orientating the internal layout so that living rooms and bedrooms wherever possible are on the quieter side of the dwelling and kitchens and bathrooms on the noisier side.
- Design of the building envelope i.e. appropriate glazing and acoustically treated ventilation.

In practical terms, it would make little difference to the occupiers inside the dwellings whether they were in NEC B or NEC C since suitable glazing and acoustically insulated ventilators would have to be specified to achieve the same internal target level. The occupiers will then have the choice of keeping the windows shut and enjoying the quiet whilst still having some ventilation, or opening the window for a blast of fresh air.

Our experience is that most will choose the latter although it may be that those occupiers closest to the motorway would be less inclined to do so.

Condition recommended.

Comments in relation to a third party comment on the Noise Action Plan are attached at Appendix A.

Environment Agency

I can confirm that we have no objections to the proposal as submitted subject to conditions. Advice is given in relation to liaison with Southern Water with regard to sewerage systems capacity.

The use of Sustainable Urban Drainage systems within the development to manage surface water runoff to reduce the risk of pollution to nearby watercourses is welcomed.

Hampshire Constabulary

Amended Plans:

Apart from considerations regarding the changes to the allotments my previous consultation report is still relevant.

Original Plans:

Incidents reported to police for the area between 1.1.2009 and 26.9.2010 listed.
The area with the most 'relevant' incidents is Scratchface Lane.

It is unusual that developments including 'Affordable homes' apply for the Secured by Design (SBD) award. To achieve the full award all dwellings on the site and perimeters must meet the same standard and must meet the guidelines published within the SBD documents 'Principle' and 'New Homes 2010', which make recommendations in relation to a series of individual components of the development.

The following issues have been highlighted using the relevant paragraphs from the New Homes document 2010.

Crime Prevention:

The layout of residential development can have a significant impact on crime in general and to ensure that crime prevention is taken into account it is important that the way in which permeability is provided is given careful consideration.

High permeability is conducive to walking and cycling, but can lead to problems of anti-social behaviour if routes have no natural surveillance.

It is important for the security of the development that there is not 'unnecessary permeability' throughout the area. In this case I recommend that there is only one entrance from Scratchface Lane. This should be located at the north-eastern corner (as indicated on the submitted plans) and if to be used by emergency vehicles should be gated and fitted with an emergency service lock.

Detailed comments are provided in relation to boundary treatments to the perimeter of the site and between dwellings together with recommendations regarding defensive and other planting.

Achieving SBD certification by implementation of the above recommendations will reduce the possibility of crime and disorder and fear of crime for persons living at and visiting the proposed development.

Hampshire Fire and Rescue

Provision should be made within the development to satisfy the requirements of the Building Regulations Approved Document B Section B5.

Suitable water supplies should be provided to satisfy the requirements of the Fire and Rescue Service Act 2004. Early consultation with the local water undertakers and this Authority is recommended.

Havant and Bedhampton Community Board

Raise objection to this development being approved for the following reasons:

1. It retains strong doubts that this site is appropriate for a housing development exceeding approximately 50 to 60 dwellings.
2. Concern that with the opening of the Hindhead tunnel and the already high level of traffic noise from the A3M, properties close to the motorway will be subject to both greater air and particularly noise pollution.
3. It is not considered that the proposed plans to deal with the known flooding of the land will overcome the existing severe drainage problems arising not only from natural rainfall, but the known natural springs on the land. The creation of a water reservoir from which water will be pumped as and when needed will be a dangerous hazard for small children. The concreting over of such a large part of the site can only exacerbate these problems.
4. There are already overflow sewage problems relating to existing residential properties. It remains unclear of the extent to which Southern Water has been involved and what improvements it is prepared to make to the broader requirement for adequate sewage drainage for the whole local area.
5. The proposed main entrance/exit is inadequate for the likely number of vehicles which will have no choice but to use it.
6. The access to public transport, schools and local medical services may well be of particular concern to elderly people and young parents new to the area. Have these been properly addressed and solutions firmly established?
7. There appear to be no local youth facilities available thus providing the potential for disengaged young people becoming a problem in the future.

In summary, while the Board fully understands the urgent need for new housing in Havant, members feel that the proposed development as it stands is not suitable for this particular site.

HCC Access Development Team

No objection.

Highways Agency

As a consultee, the HA is required to respond to specific development proposals in respect of the potential impact on the capability of the strategic road network (i.e. the trunk road and motorway network). Department for Transport (DfT) Circular 02/2007 (Planning and The Strategic Road Network) explains how the HA will participate in the planning process. In this particular case, our interest relates primarily to A3(M) Junction 5 which has existing congestion problems in the peak hours and is therefore of particular concern.

Following our own investigation of the Transport Assessment's findings, the HA concludes that the proposed development will not lead to a material impact on the strategic road network, particularly on A3(M) Junction 5. We therefore offer no objection to the proposal.

The HA would however offer some suggestions regarding the Interim Travel Plan.

Generally, the objectives as set out meet the HA's requirements. However, we would recommend that the SMART targets are linked to timeframe and phasing in line with the Department of Transport's Good Practice Guidelines: Delivering Travel Plans through the Planning Process (2009).

Housing

Affordable Housing Provision

I support the development on this site as it will provide much needed affordable housing in the Havant Area. 39% of the site (36 units) has been set aside for affordable housing. At this time it is not clear as to what tenure these units will be, but a mixture of social rent and shared ownership would be expected providing an approximate 70/30 split.

Demand for all kinds of affordable housing remains consistently high and this development will help to improve the supply of social housing.

The average waiting time for 2 & 3 bedroom homes is 8 years. The new homes will provide much needed accommodation in a good location within accepted walking/cycling distance of a number of local facilities, including education facilities, transport links and other amenities.

Mix

The Council's policy is that on all development sites where more than 15 homes are being provided, the site must include at least 30% affordable homes; these proposals exceed this requirement.

Comment:

These comments were made prior to the adoption of the Core Strategy and the requirement now relates to schemes of 5 units or more.

The affordable homes should be integrated and mixed into the development and provide a mix of smaller and larger homes and meet the Housing Corporation's Scheme Design Standards.

Based on the details provided I can confirm that I am satisfied, at this outline stage, with the mix of unit sizes and their location within the site. There is some clustering of the affordable housing but not in significant numbers. The proposed clusters no doubt make sense for the RSL from a land transfer and management perspective.

I am pleased to see that the proposed gross internal area of the homes would appear to be broadly in line with English Partnerships size standards, however it is noted that some of the 3 bed homes will fall short of the lower Housing Corporation size standards. This may be an issue for the RSL if they are seeking funding for the development.

Design

I am encouraged to see that the applicants have considered the 20 Building For Life criteria and agree in principle to their justification for each. 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.

Natural England

We have checked our records and based on the information provided, we can confirm that the application site lies approximately 1km to habitats which form part of the Langstone Harbour Site of Special Scientific Interest (SSSI). This SSSI is part of the Chichester and Langstone Harbours Special Protection Area (SPA), and a Wetland of International Importance under the Ramsar Convention (Ramsar Site). It also forms a component of the Solent Maritime SAC.

This reply gives our advice on the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2010.

Natural England wishes to draw the Council's attention to the ongoing Solent Disturbance and Mitigation Project which is currently researching into the impacts of recreational disturbance upon designated sites. The project is led by the Solent Forum and is aiming to complete later this year, however at this stage the project has not published conclusions on the extent of the recreational impacts that may be occurring within the Solent. In the interim period, Natural England would advise developers to use a broad range of mitigation measures and for Local Planning Authorities' to apply the precautionary principle when considering potential impacts upon designated sites under the Habitats Regulations within the Solent.

As the competent authority, Natural England advises that Havant Borough Council should ensure that all relevant information relating to the application is considered, and that all impacts are avoided and/or mitigated. The Council should be confident that this proposal does not raise additional recreation pressure on the sensitive designated sites nearby.

Advice under Section 28 of the Wildlife and Countryside Act 1981 (as amended)

Having considered the information provided and the potential environmental impacts resulting from the proposal, Natural England considers that this application is unlikely to have implications for the SSSI.

Planning Policy Team

The Principle of the Release of this Reserve Housing Site

PPS3 requires Local Authorities to demonstrate a 5 year land supply of deliverable housing. The requirement for 6,300 new homes in the period 2006-2026 came from work produced by PUSH, and this figure has been committed to by the council and was not affected by the revocation of the South East Plan (now reinstated) - it is also a key objective of the Core Strategy which has undergone examination. Saved Policy H4 of the HBDWLP allocates Scratchface Lane as a Reserve Housing Site, with an indicative number of dwellings of 65. The intention of this policy is to provide sites available for development in the event that they are required in order to meet housing supply requirements. Although this originally accompanied a lesser housing target from the previous Structure Plan, their principle remains the same today in relation to the newer 6,300 target.

Housing delivery has shown that the net total number of dwellings completed as follows 2006/07 = 236, 2007/08 = 390, 2008/09 = 252; 2009/10 = 145 dwellings. This means that there will be a significant shortfall on the annualised target for 2006 - 2010 (237 dwellings below target).

The Council's 5 year land supply as set out in the Havant Annual Monitoring Report 2009 contains Scratchface Lane. This is because the Planning Inspector for the HBDWLP Public Inquiry, at which this site was considered, confirmed the site as being suitable as a Reserve Housing Site: this established the principle of Scratchface Lane being suitable for housing development.

Thus, having gone through a Public Inquiry and as the council has a pressing 5 year housing supply issue, there would be no justification for any refusal on the grounds of prematurity in relation to the reconsideration of the site through the Development Delivery (Allocations) Plan. Taking into account the above matters, together with appeal cases on Reserve Housing Sites elsewhere in Hampshire, there is not considered to be justification for refusing the principle of residential development at this site. The increase in housing numbers beyond the indicative number of 65 is supported in order to maximise the use of the land, whilst still achieving a suitable development.

It is important to note the Inspectors comments from the HBDWLP. In particular paragraph 11.36.6 and 11.36.7 of the Inspectors Report on the HBDWLP. This refers to potential visual impact that may arise with development on the southern portion of the site - these comments and the potential visual impact appear to have been considered as part of the proposal.

The Current Proposal

Housing :

I am happy with the mix of dwelling types and sizes proposed. I understand that the overall site area is 3.67 hectares; from my calculations I assess the area to be developed (i.e. excluding open space and the allotments (**Comment:** now reptile reception area)) as being approximately 2.9 hectares - this equates to approximately 32No. dwellings per hectare. This is acceptable when taking into account the surrounding context and also making best use of available land as advocated in PPS3.

Affordable housing:

Saved Policy H8 of the HBDWLP requires at least 30% of the development to be affordable. In addition, emerging policy from the Core Strategy requires 30-40% affordable housing provision on sites of this size. Based on the application detail it would appear that 39% are proposed to be affordable. This is acceptable on policy grounds. As the overall scheme will deliver 92No. dwellings, it may be appropriate to consider the inclusion of a control mechanism (possibly within the legal agreement) to ensure that further stock transfers to social rented or intermediate provision do not take place in order to ensure mixed communities are created in accordance with guidance in PPS1 and PPS3.

Of the 36No. affordable units, 72% are social rented and 28% are intermediate. This varies from the emerging information contained in paragraph 6.19 of the Pre-Submission Core Strategy (which requires 65-70% social rented) but I do not consider this variation significant enough to raise an objection.

Comment:

The approved Core Strategy includes these requirements in paragraph 6.20.

In conclusion, no policy objection to this outline planning proposal. The release of this site for planning purposes is important as part of ensuring we have a deliverable 5 year supply of housing in accordance with PPS3.

Portsmouth Water Company

No comments received.

Public Space Development Manager

The development proposes two areas of open space, one situated centrally and one situated on the north facing slope to the south of the site.

Although primarily designed as a surface water attenuation feature, the central open space if suitably set out, would also serve as informal recreation and play space. Such spaces are predominantly dry and this type of dual use is quite common. The area is sufficient to meet requirements for this type of open space.

The development is too small and unsuitable for the provision of sports pitches or courts that would accommodate ball games. Such facilities already exist nearby in Scratchface Lane open space and Bidbury Mead recreation ground. The Council would not therefore seek provision of such facilities on-site, but would require a contribution towards improvement of facilities in line with its policy on developer contributions. The level of these contributions include sums towards future maintenance. The total contribution would be £123,843.50.

The open space to the south of the site was at one time proposed for allotments. This was in response to information provided by the Council's Open Spaces Team on the huge shortage of allotment plots in the borough.

Although far from ideal as an allotment site, such use of the land would go some way to reducing the shortfall in provision which will only be exacerbated by this development. In addition to this, fenced allotments would indicate a clear use of the land, and provide passive surveillance of the southern end of the development, and act as a useful 'buffer' against anti-social activity for adjacent properties.

The current proposed use of the southern open space as a reptile relocation area undoubtedly has merit. However, it will not provide any of the benefits listed above and as freely accessible open space whose purpose may not be immediately obvious to users, it could attract litter, fly-tipping, nuisance and anti-social activity.

As regard to future maintenance and management of the public open space, it is likely that the central area, being a Sustainable Urban Drainage System (SUDS), would be transferred to the body responsible for such features (thought to be Hampshire County Council). If this is the case, and given its dual use as informal recreation and play space, the Council would want to agree the design and maintenance arrangements with the applicant and the responsible body.

The Council would not want to take responsibility for management or maintenance of this space prior to transfer to the responsible body or in the event that it is not required to transfer. Similarly, the Council would not wish to take responsibility for the management and maintenance of the southern open space as a reptile relocation area.

The trigger for delivery of the southern open space as a reptile relocation area would be dictated by the need for the re-location.

Original Comments:

Any development should seek to avoid the following in any open/shared space,

- Small areas of grass verge that will be difficult and therefore expensive to maintain.
- Areas that are not overlooked and that may give rise to antisocial behaviour (balls being kicked against garden fences/walls etc.)

There is no requirement for equipped playground or ball sports facilities as these already exist in Scratchface Lane open space some 300m away.

One of the strengths of this land is its link to Gundymoor Wood, and there may be opportunity to improve access as part of any development. However, care must be taken not to introduce opportunities for anti-social behaviour, for instance by having a pedestrian link to the woods that runs alongside or behind houses and is not overlooked or is badly lit.

It is preferable to have houses face onto any shared space. Central 'squares' incorporating a small grass area, shrub beds, seating or similar features that provide a focal point at which to meet can be quite effective.

Southern Electric

No comments received.

Southern Water

Plan provided of the point of adequate capacity identified in Southern Water's investigations. This concurs with the FRA and Drainage Statement submitted with the application.

Due to the topography of the site a new foul sewage pumping station will be required to carry flows to the location identified. The indicative location is acceptable. Detailed design of the pumping station will be subject to scrutiny under Section 104 of the Water Industry Act when the submission is made by the developer.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission.

A condition is requested in relation to means of surface water disposal.

Special Projects Engineer

Amended Plans:

The foul sewer system's pumping station must at no time exceed a pump rating of 4.4 litres per second. No foul sewerage to be discharged from site into the Brooklands Road system. Details of Sustainable Drainage System for surface water are required before the start of construction.

In particular, requirement and amount of bond; interaction between maintenance of SUDS features and Public Open Space; access for maintenance; future adoption. Detailed design of stream road crossing to be agreed and works consented by the Environment Agency (EA) before construction.

Urban Design and Landscaping Team

I am pleased that the applicant has addressed many of the design issues and concerns raised at the pre-application stage. I have no major objections. These comments and issues are minor:

- Concerned that units 83-86 will have issues with privacy and over-looking from pedestrian path to the rear.
- Clearly there is a significant amount of on-plot parking, which will have a strong presence on the street. The applicant has broken this up with on street planting, which is sensible.
- Overall, I would like to see some elevations and illustrations of streetscene to get an impression of what this place will look like. Concerned that the buildings will look bland and lack character and identity. Really something to point out at outline and address at reserved matters.
- Though I appreciate the application is providing allotments for the benefit of the local community, I do not consider this part of the site as being suitable for allotments. It's relatively isolated and hidden within the development and it is on a very steep slope. I am also concerned given the nature of allotments the area could appear untidy. There is a cluster of affordable housing located adjacent to these facilities and I am concerned they may be stigmatised by their association with the untidy allotments. However, this is a matter for my colleagues in Housing and Open Space. **Comment:** Allotments do not now form part of the proposals.

Conclusion:

I support the scheme at outline. The reserved matters application will need to demonstrate that the layout and buildings have been designed to a high quality.

Landscape issues are:

Access path to north east corner should not just be a path between 2 fences but should include a grass verge and hedge on at least one side min width 2m to include trees in the hedgerow.

Front gardens should be defined with hedges, sensibly located so as not too close to parking spaces - so they don't obstruct car doors.

Roadside margins/front gardens/shrub beds should be well defined.

Natural landscape treatment of stream channel preferred - bridge should be high enough so there is no need to culvert

Balancing lakes should have some waterside planting of appropriate species.

Access to allotments - footpath required with defined boundary hedge.

Waste Services Manager

No comments received.

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: 190

Number of site notices: 10

Statutory advert: Yes

Number of representations received: Number of representations received: 441 objection letters including letters from North Hill Bedhampton Residents Association and West Bedhampton Residents Association 1 petition containing 879 signatures 1 letter of support (See **Appendix A** for a summary of the representations).

7 Planning Considerations

7.1 Town and Country Planning (Environmental Assessment) Regulations 1999 Screening Opinion. It was considered by the Council that the proposal was not likely to lead to significant impacts and as such an Environmental Impact Assessment was not required. Notwithstanding this conclusion, the proposal has been fully assessed in terms of its environmental impacts for example in relation to traffic, the effects on ecology and designated sites etc.

7.2 The development plan identifies the main considerations in relation to the proposal as:

- (i) Principle of development;
- (ii) Nature of development;
- (iii) Impact on the Character and Appearance of the area;
- (iv) Residential amenity;
- (v) Access and Highway Implications;
- (vi) Flooding and Drainage;
- (vii) Noise Issues;
- (viii) The effect of development on Ecology;
- (ix) Impact on Trees;
- (x) Other Environmental Effects;
- (xi) Crime prevention
- (xii) Sustainability
- (xiii) Archaeology
- (xiv) Contribution Arrangements

(i) Principle of Development

7.3 Scratchface Lane was identified as a reserved housing site (Policy H4) as part of the HBDWLP 1996-2011 which forms part of the Havant Borough Local Development Framework (HBLDF) 2011. The purpose of a reserve housing site is that it could be released for development in the event that housing supply was failing to meet targets. This policy is a saved policy of the HBDWLP, which forms part of the HBLDF.

7.4 The South East Plan (SEP) currently continues to constitute part of the Development Plan following the successful challenge to its revocation by Cala Homes (South) Ltd. However, the intention to abolish the South East Plan remains as announced in May 2010, and it is therefore a material consideration. It will be given statutory effect in due course through the Decentralisation and Localism Bill. The South East Plan set housing requirements for the Region. Havant Borough had a housing target of 6,300 for the period 2006-2026.

- 7.5 The Partnership for Urban South Hampshire (PUSH) and Havant Borough Council raised no objection to the housing target for Havant Borough. The current annual supply of housing needed in the Borough is 315 homes. This derives from a total of 6,300 homes required for the period 2006 to 2026. This total was set in the SEP which was approved in 2009.
- 7.6 The Havant Borough Core Strategy 2011 was adopted on the 1st March 2011. The Core Strategy adopts the target of providing 6,300 new homes for the period between 2006 and 2026. Policy CS9 states that Planning Permission will be granted for housing proposals that will *'Contribute to achieving a net total of 6,300 new dwellings between 2006 and 2026'*. This target means that annual supply between 2006 and 2026 must still be 315 homes.
- 7.7 The release of the Scratchface Lane site is considered necessary as the net total number of dwellings completed for the period of 2008/2009 was 252, and for the period 2009/2010 145 dwellings were completed. This leaves the Council 237 dwellings below annualised targets taking into account completions since 2006. This situation is very important in relation to the Council's 5 year supply of housing.
- 7.8 Detailed information on expected levels of development is contained in the housing trajectory figures in the Strategic Housing Land Availability Assessment (SHLAA) and the Annual Monitoring Report (AMR). The SHLAA is an important piece of evidence base which has informed the preparation of the HBLDF. 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. The Scratchface Lane site is included within the SHLAA and bearing in mind its current status as a reserve housing site, the Council considers it critical for this site to be released at this stage in order to maintain a 5 year housing land supply.

5 Year Housing Supply

- 7.9 The importance of maintaining a 5 year plan supply is referred to in Planning Policy Statement 3 paragraph 71 which states that:
- "Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable site.....they should consider favourably planning applications for housing, having regard to the policies in this PPS".
- 7.10 The ability to refuse planning applications on Reserve Housing sites has been unsuccessful for nearby authorities. Two appeals were allowed on reserved housing sites in Hampshire: the first was 'Dilly's Lane' (Hart District Council) in July 2007 and the second was at 'Silent Garden', Liphook (East Hampshire District Council) in March 2009. Various factors were considered as part of these appeals and many similarities can be drawn with Havant Borough and our reserve housing sites.
- 7.11 The 'Dilly's Lane' case was granted Planning Permission by the Secretary of State. At paragraph 25 of her decision letter the Secretary of State concludes that because Dilly's Lane is a reserve housing site in the Development Plan, it is allocated in the overall land supply.

The letter concludes that the development of the site would not have the effect of preventing or delaying developable brownfield sites from coming forward in Hart District.

- 7.12 The Silent Garden case was granted planning permission by the Secretary of State in March 2009. The site was identified as a Reserve Housing site in East Hampshire District Council's Second Review Local Plan. The Inspector concluded that the decision on whether to grant permission for the proposal should take account of PPS3 guidance, and that it was allocated in the overall land supply for the District. As the site represented a suitable and available source of housing land where the housing proposed was achievable and deliverable, he considered that the site should be regarded just as much a part of the identified housing land supply as the baseline sites. It is notable that the Inspector accepted that the East Hampshire District Council had demonstrated an up-to-date 5 year supply of deliverable sites as required by PPS3, but decided that the release of the Silent Garden site would ensure that there was a continuous delivery of housing moving forward.
- 7.13 The Dilly's Lane and Silent Garden appeal decisions are pertinent to this application because they variously indicate the views of the Secretary of State that there is little difference between a reserve and allocated housing site even where a 5 year supply of housing is demonstrated. In the Havant Borough context, the absence of a current 5 year supply would make a refusal on the basis of housing supply particularly difficult to substantiate.
- 7.14 In addition to the two appeal decisions outlined above, an appeal decision in relation to Land at Redbridge Lane (Test Valley) is considered to be relevant. The appeal decision relates to the construction of 350 No. dwellings within an area of land allocated as a Local Gap within Test Valley Borough Local Plan. The site was not allocated nor reserved for housing. It was demonstrated at appeal that there was a shortfall of well over two years, and possibly a little over 3 years, below the required five year housing land supply. This weighed heavily in favour of the proposal. The Inspector also concluded that:

"On the question whether current market forces could result in a delay to the delivery of the appeal site itself, it is the maintenance of a 5 year housing supply that is the crucial consideration and the appeal site is evidently suffers none of the potential impediments attributed to the Brewery and Abbotswood sites and is truly available for full development within five years when judged on equal terms with reference to PPS3".

The Inspector allowed the appeal and granted planning permission. This appeal decision illustrates the importance of maintaining a 5 year housing land supply, in the absence of which Greenfield sites may be allowed at appeal.

Greenfield/Brownfield Development

- 7.15 Although the proposal is on greenfield land, this is acceptable in planning policy terms. PPS3 contains a national planning target of achieving 60% of residential development on Previously Developed Land (PDL). However, the Council's Core Strategy is clear that this target will be difficult to achieve at the local level in the coming years. Paragraph 6.13 of the Core Strategy states that *'The 60% national target of development on PDL is unlikely to be met at the local level.*

The council will work with PUSH to ensure monitoring takes place and that sub-regionally a higher percentage of PDL is achieved.'

- 7.16 The Council are unable to take a 'PDL first' approach to housing delivery due to availability and suitability of sites and PPS3 (Para.72) also states that LPAs should not refuse applications solely on the grounds of prematurity.
- 7.17 In conclusion, on the policy issues surrounding the release of this site for development, there is considered to be no justification for refusing the principle of this development. The requirement for a 5 year supply of housing, the recent drop in housing delivery, and the comparable appeal decisions elsewhere in Hampshire are all key considerations in the acceptability of this site for housing development.

(ii) Nature of Development

- 7.18 In assessing whether the nature of the development would be acceptable the following factors have been considered:
- The density of residential development
 - The mix of dwelling sizes and tenures
 - The design and layout of the development

The density of residential development

- 7.19 The application seeks 92No. dwellings which equates to approximately 25 dwellings per hectare. It should be noted that if the reptile reception area, open space and SUDS features are excluded the density is approximately 32 dwellings/hectare (see Policy comments above). Core Strategy policy CS9 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*'.
- 7.20 The 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.

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*'.

- 7.21 Although the minimum 30 dph limit was recently removed from National Planning Policy Statement 3, there remains a requirement to make efficient use of land. The proposed density of 25 dph is considered to be an appropriate density, which would be well-related to the density and form of neighbouring housing estates to the east of the site. Hillmead Gardens has a density of approximately 33 dph and Brooklands Road approximately 23 dph. The proposed density for the site is in accordance with Core Strategy policy CS9 and PPS3.

The Mix of Dwelling Sizes and Tenures

- 7.22 With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to be had to Core Strategy 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'*. Paragraph 6.24 states that a mix of dwelling types is sought from one and two bedroom flats to terraces and larger detached houses.

- 7.23 In this case the following mix of dwelling types is proposed:

Flats:

4No. 1 Bed Flats

5No. 2 Bed Flats

Houses:

26No. 2 Bed Houses

48No. 3 Bed Houses

9No. 4 Bed Houses

The dwellings are proposed as 3No. single flats and a block of 6No. flats, terraced, semi-detached and detached houses. This is considered to meet the requirement to provide a good range of dwelling types in the development.

- 7.24 The development would provide approximately 39% of the total number of dwellings proposed as affordable housing units. This equates to a total of 36No. dwellings. Core Strategy policy CS9 requires that housing developments will *'Deliver on average 30-40% affordable housing on sites of 15No. dwellings (gross) or more...'* The units are spread throughout the site and provide a mix of types (11No. 2 bed, 21No. 3 bed and 4No. 4 bed houses). The tenure and management, standard of the dwellings, the mechanism for allocating the housing and the long term availability of the units as affordable dwellings are to be determined and set out in the S106 agreement. The Council's Housing Officer has raised no objection to the proposal subject to the affordable housing being subject to a Section 106 Agreement. The location of the Affordable Housing is shown at **Appendix J**.

The Design and Layout of the Development

- 7.25 The layout of the development needs to be considered at this stage as it is one of the matters indicated for consideration at the outline stage. The site layout plan (**Appendix F**) demonstrates how the 92No. dwellings would be provided on the site.

- 7.26 The vehicular access into the site would be provided from Brooklands Road (which is as agreed in the Inspectors agreement to the sites inclusion as a Reserved Site in the HBDWLP). This requires the demolition of 2No. bungalows which front Brooklands Road. The site widens from the access point, and to the north of the access point would be a detached house which could be designed to address both the Brooklands Road frontage and the access road. A footpath would be provided to either side of the access. With the exception of the single house, the entrance to the site would present a green frontage, with open space and a green sustainable urban drainage (SUD) basin to the southern side of the road, and the central stream with mature trees subject to a Tree Preservation Order (TPO).
- 7.27 The northern access road would run from the centre of the site parallel to Hillmead Gardens. The road turns west at its northern end terminating at the flats (units 87-92). To the eastern side of the road would be terraced and semi-detached units. An indicative streetscene has been provided and this is shown at **Appendix H**. To the western side would be a large green retention basin and landscaped area. There would be semi-detached and detached properties fronting the road to the north of the basin. In addition, there are two spurs of the main road to the west side with shared surfaces serving semi-detached and terraced houses. At the north-east corner of the site would be a pedestrian and cycle route linking into Scratchface Lane. This would also provide an emergency site access.
- 7.28 The area to the south of the stream includes 18No. residential units which comprise detached, semi-detached, terraced houses and a flat over a garage. The northern units would overlook a green SUDS feature and include parking accessed from the rear. The other properties are accessed via cul-de-sacs which include areas of shared surface. The properties would be sited on land which rises to the south. An area designated as a reptile reception area would be provided on the southern part of the site on land which rises steeply to Portsdown Hill Road. This is the most prominent part of the site and it is considered important in landscape terms that this area remains undeveloped in order to retain the openness of this area.
- 7.29 It is considered that the layout provides a form of development that is compatible with the built form of development in the surrounding area. The scheme contributes features which are considered to complement the existing character of the area. The north/south road reflects the linear form of Hillmead Gardens and the use of cul-de-sacs is also reflective of the pattern of nearby development. The development has been designed to provide 'active' street frontages and where possible areas of open space are also overlooked. The design of the dwellings would be subject to consideration at the reserved matters stage however, an illustrative street scene has been provided to demonstrate how the buildings could be designed. The reserved matters stage would provide opportunity to ensure a good quality of design. Overall it is considered that the development would also respond positively to the constraints of the site for example its elongated shape, stream, drainage and protected trees.

Public Open Space

- 7.30 Saved policy R17 of the HBDWLP relates to playing space related to new housing development which requires that housing developments of more than 5No. dwellings make provision for children's play space and playing fields. Playing space can either form part of the development or be provided at an alternative location which the Borough Council considers acceptable.

The Council expects the payment of contributions where it would be inappropriate to justify provision as part of the development. Contributions may also be negotiated to improve the capacity of existing playing space to meet the requirements of the occupiers of the new housing.

- 7.31 The development proposes two areas of open space in the central area of the site. Although they are primarily designed as surface water attenuation features, these areas, if suitably set out, would also serve as informal recreation and play space. The Open Space Development Officer has confirmed that such spaces are predominantly dry and this type of dual use is quite common, and that the area is sufficient to meet the requirements for this type of open space.
- 7.32 In terms of provision for sports pitches, the development is too small and unsuitable for the provision of sports pitches or courts that would accommodate ball games. Such facilities already exist nearby in Scratchface Lane open space and Bidbury Mead recreation ground. The Council would not therefore seek provision of such facilities on site, but would require a contribution towards improvement of facilities in line with policy on developer contributions. The level of the contributions to be secured via the S106 Agreement would be £123,843.50.
- 7.33 In addition, an area to the south of the site is proposed as a reptile relocation area. The agent has indicated that public access could be provided to this land. The extent of any public access to the land would need to be subject to detailed further consideration to ensure that ecological interests are adequately addressed and that the potential crime and disorder issues are adequately addressed. Conditions are therefore proposed to address these matters.
- 7.34 Crayfern Homes have confirmed that a management company would be established to maintain the Sustainable Urban Drainage System (SUDS), informal open space and reptile reception area. Notwithstanding this the provision and future maintenance of these areas would be subject to the S106 agreement. As the SUDS may be required to be transferred in the future, a bond in relation to management and maintenance costs would also be required as part of the S106 agreement.
- 7.35 The comments of the Open Space Development Officer in relation to Allotments are addressed in (viii) below.

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

- 7.36 Whilst the site at present has a rural character, with a large field grazed by horses to the northern side of stream that crosses the site and rough pasture to the south side of the stream, it is also affected by the urban influences of nearby housing development to the east and the A3(M) to the west. It is also reasonably well contained from public views which are limited to views from the elevated Portsdown Hill Road and the footpath along Scratchface Lane. There are also limited views of the site between houses and bungalows in Hillmead Gardens and Brooklands Road. It is of course recognised that there are views into the site from the properties to the east. The public views into the site are further limited by the existing established bank and planting to the west of the site and trees along the northern boundary together with other boundary trees.

- 7.37 The site is undulating with the southern part elevated and steeply sloping. During the consideration of the site as a Reserved Site, the Inspector considered that the southern part of the site should remain undeveloped due to its prominence in the wider landscape. The development would retain the southern part of the site as an undeveloped area which would act as a reptile reception area. The most southerly dwelling would be set approximately 134m north of Portsdown Hill Road. It is considered that the layout of the development helps to retain the open aspect of the prominent southern part of the site.
- 7.38 The development would also retain the central stream corridor with its important mature trees. It would also seek to retain northern and western boundary trees. The landscaping of the site is again indicative at this stage and would be subject to a reserved matters application and a planning condition.
- 7.39 Having regard to the contained nature of the site, the retention and incorporation of natural features into the layout and the retention of prominent landscape features, it is considered that the proposed development would not significantly affect the visual amenity or character and appearance of the wider area, subject to retention of boundary vegetation and new planting at the reserved matters stage.

(iv) Residential Amenity

- 7.40 With regard to residential amenity, the main impacts are considered to relate to the following areas:
- Whether the proposed houses would have an overbearing impact on existing properties in terms of mass/bulk and proximity to existing residential properties,
 - Would the development be likely to lead to unacceptable overlooking?
 - The likely impact from noise and disturbance from the use of gardens and open areas of the site,
 - Traffic noise and disturbance from the cars entering/leaving the site and manoeuvring within it.

These potential impacts will be addressed below.

- 7.41 The site is bounded by properties in Pennant Hills, Brooklands Road and Hillmead Gardens. Properties in Brooklands Road and Hillmead Gardens would back onto the residential part of the development site. The properties adjacent to the site boundary in Brooklands Road are bungalows with rear gardens with a depth of approximately 15m. Proposed Units 2-6 and 18 are set well off the common boundary. The closest proposed Units are No's 7 and 19. These properties would be likely to be two storey. The distance between the existing and proposed properties would be approximately 19m. It is considered that this relationship would be acceptable subject to suitable boundary treatment and design of the proposed units. Proposed Unit 1 has been carefully positioned to reduce the impact on the properties either side in Brooklands Road and it is considered that, subject to detailed design, would be acceptable.
- 7.42 The properties in Hillmead Gardens are two-storey houses with substantial rear gardens. The proposed dwellings proposed to their western side would back onto the existing properties and be set a minimum of 24m off their rear walls. This distance would result in an acceptable relationship between dwellings subject to suitable boundary treatment and landscaping.

- 7.43 In relation to concerns about overlooking, at this outline stage the proposed fenestration of the dwellings is not known. This would be considered at the reserved matters stage. However, given the separation distances proposed between dwellings it is considered that the detailed designs could appropriately address overlooking issues to result in an acceptable relationship between dwellings. It is also recommended that conditions in relation to proposed Units 7 and 19 are imposed at this stage to ensure that the detailed design avoids overlooking windows.
- 7.44 With regard to noise from the use of gardens and open space within the site, it is considered that the development generally provides adequate garden amenity space around properties. This would reduce the risk of likely disturbance to neighbouring residents, although it has to be recognised that the residential development would increase activity close to the rear boundaries of adjacent properties. It is considered that a minor change to the siting of Units 7 and 8 would provide a more useable garden area to Unit 7, and a condition is recommended to ensure that this is achieved. This would also increase slightly the separation distance between Unit 7 and No's 48 and 50 Brooklands Road.
- 7.45 With regard to the open areas of the site, these are mainly set off the boundary with existing residential properties with the exception of the Reptile relocation area and the area close to the central stream. The management and public use of the Reptile Relocation area would be subject to planning conditions and the S106 Agreement. Whilst it is hoped to allow public access, this will need to be subject to detailed consideration in order to reduce the risk of unsociable behaviour and protection of wildlife. It would also be necessary to ensure that suitable boundary treatment is provided. Subject to suitable conditions and the S106 Agreement it is considered that the use of this land should not have a harmful impact on neighbours residential amenities.
- 7.46 The open space close to the stream and adjacent to neighbouring properties is considered important in terms of the visual amenity of the development but is not likely to attract significant informal use. Subject to suitable boundary treatment and landscaping, any impact on neighbouring residents from the informal use of this area is likely to be limited and acceptable.
- 7.47 Finally in relation to traffic noise, it is considered that the most significant impact would be on the 2No. bungalows in Brooklands Road flanking the access road (No's 32 and 38). It is recognised that the use of the access road by the traffic entering and leaving the site would have an impact on the residents of these properties and it is therefore important to ensure that adequate boundary treatment is provided to minimise this. It should be noted that the access to the development shown in the HBDWLP was anticipated to be in the location currently proposed and therefore the direct impact of the access road on the immediate neighbours is consistent with that inherent in the HBDWLP allocation. As such it is considered that the proposals impact on the amenity of the adjacent properties would be acceptable subject to conditions requiring suitable boundary treatment. It is appreciated that the wider access to the site utilises the wider residential street network and that there would be increased vehicular movements on surrounding roads. In this regard Hampshire County Council (Highways) have confirmed that there is sufficient road capacity to accommodate this increase, and consequently it is not considered that these increased movements associated with the new dwellings would themselves have a sufficient impact on residential amenities to warrant a refusal of planning permission.

(v) Access and Highway Implications

7.48 The proposal raises a number of issues in relation to highway matters and these are considered to be:

- The internal road layout and adequacy/suitability of on site parking,
- Pedestrian/cycle links from the site to the wider area,
- The design of the access at the entrance to the site and its suitability in terms of highway safety,
- The adequacy of the local residential road network to serve the site,
- The impact on the wider road network, in particular in terms of the impact on the wider road network, in particular in terms of the Maylands Road/Portsdown Hill/Bedhampton Hill and Bedhampton Road (the Belmont Junction) roundabout and the junction of Scratchface Lane and Hulbert Road and the junction of Scratchface Lane and Hulbert Road,
- The impact on the wider strategic highway network,
- Consideration of the submitted travel plan and Hampshire County Councils Transport Contributions.
- Construction Traffic

The internal road layout and adequacy/suitability of on site parking

7.49 The developers have advised that with the exception of the first section of access road from Brooklands Road, the internal roads would not be offered for adoption by Hampshire County Council. The roads within the development would be designed to an adoptable standard but would remain private. Public rights of way will be required over the private roads to ensure that local people have access to the proposed links to the wider area (pedestrian and cycle) and informal public open space. This issue will be addressed within the Section 106 Agreement.

7.50 Internal road layout has been subject to detailed consideration at the pre-application stage, and the design has been critically assessed in terms of urban design requirements. The layout has a single point of vehicular access to the existing highway network, and the road narrows to provide for lower traffic speeds within the development. As stated in paragraph 7.25 the road divides to a north and south route leading to cul-de-sac spurs which themselves incorporate shared surfaces and changes to re-enforce the residential character of the area, and encourage low traffic speeds. The main north spine road has more of the character of a street reflecting the alignment of Hillmead Gardens. The layout of the on-site roads are considered acceptable in highway terms and should also lead to an attractive internal character for the development.

7.51 In relation to car and cycle parking, the development would provide parking in accordance with the adopted Havant Borough Residential Parking and Cycle Provision Supplementary Planning Document.

Planning conditions are recommended in relation to securing parking at the appropriate level, and subject to this, the development is considered to appropriately address these requirements. As such it is not anticipated that the development would lead to any significant change in the demand for parking on nearby residential roads.

Pedestrian/Cycle links from the site to the wider area

- 7.52 The development proposes the creation of 2No. additional cycle/pedestrian routes into the site. The first would link the site to Portsdown Hill Road to the south and the second to the north, would link into the end of Scratchface Lane and the existing public footpath which crosses the A3(M). The second access would also serve as an emergency access route. These routes are considered to be very important in terms of increasing the permeability of the site and providing links to the wider area. They would serve not only the residents of the development, but also the wider community.
- 7.53 In terms of the uses of the two routes, the southern link would provide a direct access to the leisure (10 Pin Bowling) and Retail (Homebase) facilities on Portsdown Hill Road. The route would be approximately 640m from the central road junction in the site via the link and 921m using the existing road network. It is also considered that this route provides opportunities for accessing public open space further west along Portsdown Hill Road.
- 7.54 The northern route would link into the existing Public Right of Way which leads east across the A3(M) to South Downs College and beyond. This is an important link reducing the distance travelled by someone living in the northern part of the development from 1.5km (shortest route via proposed and existing road and footpath network) to 675m (via proposed link and footpath network). It is considered important to provide the most direct links possible in order to maximise travel by foot and cycle, and reduce reliance on the private motor car.
- 7.55 In addition to the link to South Downs College, the route would also provide a direct link to the Scratchface Lane Recreation Ground which has a children's play area, football pitch and surfaced multi-purpose games area. Finally it offers improved links to bus services and the ASDA store and facilities to the north.
- 7.56 It is recognised that opening up the permeability of the site can lead to concerns in relation to crime and disorder. These matters are considered in (xii) below.

The design of the access at the entrance to the site and its suitability in terms of highway safety

- 7.57 The vehicular access to the site has been subject to detailed consideration at pre-application and application stages by HCC Highways and HBC Development Engineers. The proposal is essentially to provide the vehicular access from Brooklands Road (resulting in the demolition of two bungalows), with the access road becoming the main route, and the existing Brooklands Road cul-de-sac becoming a spur to the main route.
- 7.58 No objections have been received regarding the design of the access from the highway engineers at Hampshire County Council and Havant Borough Council subject to conditions. As such it is considered that the proposed access to the site is acceptable in terms of highway safety.

The adequacy of the local residential road network to serve the site

- 7.59 It is recognised that the issue of the adequacy of the existing residential road network to serve the development has been of particular concern to residents. The issues have been considered at length during the pre-application and application stages. A Transport Assessment has been submitted in support of the application. The assessment has been prepared in accordance with a 'Scope of Works' agreed by Highway Engineers at Hampshire County Council and Havant Borough Council. The work includes a number of detailed surveys to predict the distribution of traffic likely to be generated by this proposal and existing conditions including parking surveys on Brooklands, Maylands and Penhurst Roads.
- 7.60 The Scratchface Lane site was allocated as a Reserve Housing Site following the Local Plan Inquiry in 2004, with an indicative dwelling number of 65. The Inquiry found that the local highway network was capable of accommodating the additional traffic generated by the site. It was also accepted that the main vehicular access could be taken to the site from Brooklands Road. The current proposal is for a development of 92No. units (an increase of 27No. units over the indicative figure).
- 7.61 The application has been submitted with a Transport Assessment prepared in accordance with the Department of Transport's Guidance on Transport Assessments (2007) which considers the impact of the proposed development on the surrounding highway and transport network. This Assessment has been considered in detail by the Havant Borough Council and Hampshire County Council as the Highway Authority.
- 7.62 The Transport Assessment considered the impact of the development on the capacity and safe operation of the surrounding local highway network. The Transport Assessment used the industry standard TRICS database to generate trip rates from the proposed development. The Transport Assessment predicts that the site will generate at peak times (AM 08:00-09:00 PM 17:00-18:00) the following movements:

Peak AM			Peak PM		
Arrivals	Departures	Total	Arrivals	Departures	Total
15	39	54	37	21	58

The site will generate 39 departure movements in the AM Peak and 37 arrivals in the PM Peak. These are the busiest parts of the day and therefore represent the maximum movements.

- 7.63 These trips are then distributed onto the network based on the 2001 Census Journey to Work Data. Over half the development traffic would join the local primary network via the roundabout junction off Maylands Road, with the remaining traffic joining Hulbert Road via Scratchface Lane.
- 7.64 The local road network serving the site has been assessed to be adequate to serve the development proposed by HCC Highways as there is sufficient road capacity to accommodate this increase. There is not considered to be a Highway reason to warrant a refusal of planning permission based on the impact on the residential roads.

The impact on the wider road network, in particular in terms of the Maylands Road/Portsdown Hill/Bedhampton Hill and Bedhampton Road (the Belmont Junction) roundabout and the junction of Scratchface Lane and Hulbert Road

- 7.65 As stated above the majority of the additional traffic generated by the development would join the local primary network via the Bedhampton Road/Maylands Road roundabout with the remaining traffic joining Hulbert Road via Scratchface Lane. These two junctions were assessed as part of the Transport Assessment. Beyond these junctions the development traffic disperses and the impact on the rest of the network is considered to be minimal.

Belmont Junction Capacity

- 7.66 Using the industry standard roundabout modelling programme, ARCADY, the Transport Assessment assessed the impact of the development traffic on this roundabout including a future assessment year of 2015, to account for traffic growth. All arms operated within capacity in the AM Peak in each of the scenarios tested.

- 7.67 Modelling identified that the junction is currently operating at capacity in the PM Peak on the Bedhampton Hill and Portsdown Hill arms, resulting in vehicle queues of 20 and 10 respectively. Including factored traffic growth these queues increase to 26 and 12 vehicles respectively. The additional development traffic is likely to increase these queues by 9 and 1 vehicles respectively. These increased queues are a worst case scenario and only likely to occur during short peaks within the peak period as the development will actually only result in an increase of 15 vehicles using Bedhampton Hill and 13 vehicles using Bedhampton Road during the busiest hour. The development traffic therefore represents an additional vehicle every 4 minutes on each of these arms, and an increase of only 2% of traffic passing through the junction in the PM Peak.

- 7.68 The Highway Authority conclude that whilst the development does have an impact on this roundabout, onsite observations and surveys indicate that the additional queuing will not interfere with other junctions, and is likely to be for relatively short periods of time. It is therefore considered that a highway capacity reason for refusal is untenable, particularly as the applicant has offered to make a financial contribution towards measures which support the uptake of sustainable travel modes and reduce reliance on the private car.

- 7.69 Improvements to the roundabout have been considered, however, these are not considered practical due to the physical constraints of the roundabout. The roundabout has also been assessed for safety. In the three year period to 31st January 2011 there were five road accidents in the vicinity of the roundabout, all attributed to driver error. The roundabout is identified on the County Council's refurbishment programme to maintain the existing safety markings and features.

Scratchface Lane/Hulbert Road Junction

- 7.70 The operation of this priority junction has been assessed using industry standard modelling programme PICADY. The results demonstrate that in 2015 with development traffic the maximum Ratio of Flow to Capacity is 0.35 in the AM Peak and 0.21 in the PM Peak, where 1.0 represents theoretical capacity. The Highway Authority therefore considers that capacity improvements are not required at this junction, and it will operate satisfactorily with the additional development traffic.

The development adds 35No. vehicles to this junction in the AM Peak and 16No. during the PM Peak. This represents an increase of 4% and 2% to the overall junction traffic flow.

The impact on the wider strategic highway network

- 7.71 As stated above, beyond these junctions the development traffic disperses and the impact on the rest of the network is considered to be minimal.
- 7.72 The Highways Agency (HA) considers development proposals in respect of the potential impact on the strategic road network. In this case their interest relates primarily to the A3(M) Junction 5 (Rusty Cutter). The HA conclude that the proposed development will not lead to a material impact on the strategic road network and therefore offer no objection to the proposal.

Consideration of the submitted travel plan and Hampshire County Councils Transport Contributions

- 7.73 The application has been accompanied by an Interim Travel Plan. This document sets out the proposed aims and objectives which would be developed in preparing the final Travel Plan.
- 7.74 The Travel Plan seeks to achieve a modal shift away from the private car. The Travel Plan will aim to reduce resident's dependency on the private car for accessing the site whilst subsequently increasing the use of sustainable travel options.
- 7.75 A Residential Travel Plan for this development will be required by means of a Section 106 Agreement. The travel plan will include a number of measures to encourage travel by sustainable modes, and could include bus taster tickets and cycle vouchers. The Travel Plan will also provide information on travel by means other than the private car, with special regard to pedestrian/cycle routes to South Downs College.
- 7.76 A transport contribution for the site of £341,974 based on Hampshire County Council's Transport Contribution Policy would be required, and this is considered to be an acceptable amount to mitigate the impacts of the development. The Borough Council and County Council have assessed the application against Havant Borough's Transport Scheme list to consider what schemes could come forward as a result of this development (included in **Appendix D**). These measures would provide an improved local road network, and encourage and enable a greater choice of sustainable transport modes, and therefore reduce reliance on the private car.

Construction Traffic

- 7.77 In response to concerns raised by residents regarding the manoeuvring of construction traffic along Brooklands Road and Maylands Road around on-street parked vehicles, a car parking survey was undertaken and used to assess the tracking of a large tipper construction vehicle on these roads. The survey was undertaken on a weekday and on a Saturday. The results were used to plot an auto-track of the construction vehicle and demonstrated that construction traffic would be able to access the site with vehicles parked on Brooklands Road or Maylands Road. Penhurst Road will not be used as part of the construction traffic route for the development.

(vi) Flooding and Drainage

- 7.78 The flooding and drainage issues relating to this site fall into two areas, surface water drainage/groundwater protection and foul drainage. It is recognised that both these areas have raised concerns during the pre-application consultations and application stages, partly as a result of previous problems in the area resulting from surface water flooding and foul drainage capacity problems. As a result the developer has submitted a detailed Flood Risk Assessment and Drainage Statement and developed a detailed strategy for addressing the drainage issues associated with the development.

Surface Water Drainage/Groundwater Protection

- 7.79 The Environment Agency Flood Risk Map shows the development site is located in PPS25 Flood Zone 1. Whilst development is considered appropriate for Flood Zone 1, according to National Policy Statement PPS25, a Flood Risk Assessment is still required together with drainage proposals. PPS25 states that developers are responsible for designs which reduce flood risk to the development and elsewhere, by incorporating sustainable drainage systems, and identifying opportunities to reduce flood risk, enhance biodiversity and amenity, protect the historic environment and seek collective solutions to managing flood risk.
- 7.80 Under the existing situation, the main feature of surface water drainage is the stream which crosses the site and is designated a main river by the Environment Agency. Due to the topography of the site, water tends to drain down from the existing fields to the stream which is at the lower point of the land which rises to north and south. In addition, part of the northern end of the site drains towards the north-east corner where a ditch leads to Scratchface Lane. There is also an area in the north-east of the site where water pools during the winter to form a winter/spring pond feature.
- 7.81 Ground investigations have been carried out that indicate that generally the site is underlain by clay, with chalk to the south of the site. The southern part of the site is located within Groundwater Protection Zone 1.
- 7.82 The Brooklands Stream is an open feature as it runs west to east across the site but enters a triple pipe culvert at the boundary with No. 34 Brooklands Road, later emerging approximately 0.5km to the southeast of the site. Drainage ditches are also present along the northern part of the site and adjoining the western site boundary which appear to convey water run off from the A3(M) embankment to the Brooklands Stream, with a small section leading to the northern ditch. A plan showing existing drainage is attached at **Appendix K**.
- 7.83 As the site is not within an area susceptible to coastal flooding, fluvial flooding is considered to represent the main surface water flood risk on this site and its surroundings. The Flood Risk Assessment (FRA) has considered the historical flooding concerns in the vicinity of the site. Flooding from watercourses has related to the following routes:

Brookside Road Stream
Scratchface Lane Ditch
A3(M) Toe drains/ditches

The Brookside Road Stream had an original pipe culvert that proved inadequate and resulted in flooding to properties in Brooklands Road and Brookside Road. The pipe culvert was later triplicated along part of its length in an attempt to alleviate flooding. There have also been incidents of overland flow caused by obstruction of the inlet grille at Brooklands Road.

The Scratchface Lane Ditch has been prone to blocking which causes overland flow down Scratchface Lane. There are also reportedly issues in relation to maintenance of the grille.

Inspection of the A3(M) ditches indicate piped connections from the road drainage system. However, the ditches themselves exhibit little evidence of use and it is suspected that drainage from the A3(M) probably connects directly to the Brookside Road Stream culvert.

- 7.84 The FRA also considers groundwater flooding but concludes (as a result of ground investigation) that there is no evidence of groundwater affecting the site and that the risk of groundwater flooding affecting the site is low. Infiltration testing on the site has confirmed that underlying clay exhibits very low permeability. Site investigation has confirmed that a layer of sand underlies the clay in the location of standing water in the north east corner of the site. Groundwater was not discovered in the sand layer. The standing water is considered the result of runoff collecting in the localised depression and unable to dissipate.
- 7.85 The FRA considers the impact of climate change with the potential for increased peak rainfall intensities.
- 7.86 The development proposals would incorporate sustainable drainage solutions to dispose of surface water runoff. Ground investigations demonstrate that the site exhibits very poor soakage characteristics. Given the impermeable nature of the strata underlying the site, the potential for infiltration of surface water is negligible. The use of infiltration devices for the disposal of surface water has therefore been discounted. The proposed drainage strategy therefore proposes a “surface water management train” to attenuate runoff with controlled discharges and implementation of SUDS to minimise the risk of increasing downstream flood risk. Essentially this will result in the retention of water on site with managed restricted discharge to stream and Scratchface Lane Ditch. A plan indicating the surface water drainage strategy is attached at **Appendix L**.
- 7.87 The surface water runoff storage/attenuation facilities would be designed to accommodate water runoff from the proposed development for all rainfall events up to and including the 1 in 100 year occurrence, including a 30% increase to allow for the possible effects of climate change. The development is required to result in a run-off rate from the site that is no greater than that of greenfield undeveloped land. To reduce the impact of the development on the natural hydrology of the catchment, the development would be designed with sustainable drainage solutions that mimic, as closely as possible, the existing natural flow regime of the greenfield site.
- 7.88 The development incorporates the following surface water management techniques:
- Porous Car-Parks/Pervious surfaces,
 - Geocellular Storage,
 - Detention Basins

- 7.89 The FRA states that porous car parks allow rainwater to infiltrate the surface layer and into the underlying sub-structure where it will be temporarily stored before being discharged into the drainage network at controlled rates. Runoff from the roofs of the properties surrounding these areas could also drain to the porous car park construction. As runoff percolates through the sub-layers, pollutants are filtered out by the surfacing layer and biological processes in the sub-base.
- 7.90 Geocellular units are modular plastic systems with a high void ratio that can be used to create a below ground storage structure. The devices can be located under private roads and parking areas to provide additional volume for flow attenuation.
- 7.91 Detention basins are vegetated depressions designed to store runoff and release it gradually to the local watercourse at a controlled rate. The design of the detention basin should incorporate sediment traps prior to runoff entering the basin. The detention basins would be located within areas of informal open space and be designed to attenuate the 1 in 100 year + 30% climate change event whilst restricting the runoff to the undeveloped Greenfield runoff rate.
- 7.92 The FRA and Drainage Statement have been considered by the Environment Agency and the Council's Drainage Engineer.
- 7.93 The Environment Agency confirm that they have no objections to the proposed development as submitted.
- Furthermore, they provide guidance in relation to the source protection Zone 1 in the south of the site and on flood risk. These are recommended to be attached as Informatives should permission be granted, to guide the developers in terms of condition discharge.
- 7.94 The Council's Drainage Engineer raises no objections in relation to surface water drainage.

Foul Drainage

- 7.95 The foul drainage has been assessed in the submitted FRA and Drainage Statement. This states that sewer records indicate that there are public foul sewers in Brooklands Road to the east of the site and Portsdown Hill Road to the south of the site. Sewer records supplied with Southern Water's Level 2 Capacity Assessment indicate a public sewer located in Scratchface Lane to the north of the site.
- 7.96 Southern Water has identified multiple recurring flooding incidents from the public foul sewers in the vicinity of the site. The majority of reported incidents have occurred along Brooklands Road, especially at No's 31 and 2 to 8, and along Maylands Road. The problems may be attributable to irregular changes in pipe diameters within the network causing constrictions.
- 7.97 Southern Water has undertaken a Level 2 Design Capacity Assessment for the proposed development. This identified the preferred solution for servicing the development with a connection to the nearest point of sufficient capacity to cope with increased flows. Southern Water has identified that there is sufficient capacity in the foul sewer in Scratchface Lane to serve the proposed development.

This avoids a connection to the sewer in Brooklands Road, which has capacity problems known to cause flooding to properties.

- 7.98 To connect the Scratchface Lane sewer it would be necessary to incorporate an adoptable pumping station into the wastewater system. A condition is recommended in relation to the design of the pumping station. The wastewater drainage strategy is shown at **Appendix L**. To connect the southern area of the site to the system, a pipe will be required to be installed beneath the central stream subject to Environment Agency consent. The Environment Agency has raised no objections to the FRA/Drainage Statement.
- 7.99 Southern Water and the Council's Drainage Engineer have raised no objections to the proposed foul water drainage strategy subject to conditions.

Management and Maintenance

- 7.100 The Flood and Water Management Act 2010 encourages the use of sustainable drainage in new developments. It does this by requiring drainage systems to be approved by the SUDS Approving Body (SAB), against a set of National Standards. Crayfern Homes Ltd has indicated that a management company would be established to deal with the maintenance of the SUDS. This arrangement will be subject to a Section 106 Agreement. It is likely to be necessary to require a non-performance bond to be paid by Crayfern Homes Ltd to ensure that the SUDS system can be maintained in perpetuity.

(vii) Noise Issues

- 7.101 The application site is bounded to the west by the A3(M) and its associated landscaping bank and tree screen. The site is therefore subject to traffic noise from this major trunk road. This issue is of course long established and known at the time of the Inspectors consideration of the site in the HBDWLP Inquiry, when the site was allocated as a reserve site. It was also identified at the pre-application stage as a significant consideration. The application has been submitted with a PPG24 (Planning and Noise) Assessment Report.
- 7.102 The Assessment Report includes a traffic noise survey. Noise levels were measured at two fixed locations on the site over consecutive 15-minute periods between 12:00 hours on Friday 15th January and 12:00 hours on Tuesday 19th September 2009. The positions were located at the proposed building line of the most affected properties at the north and southern ends of the site. Noise contour modelling has also been carried out with a noise contour map produced.
- 7.103 The suitability of the site for residential development has been assessed in the Assessment Report against PPG24 (Planning and Noise) guidance. Within PPG24 noise exposure categories (NEC) are identified from A - D. Category A represents the circumstances in which noise is unlikely to be a determining factor, while Category D relates to the situation in which development should normally be refused. Categories B and C deal with situations where noise mitigation measures may make development acceptable. PPG24 states that sites within NEC B, noise should be taken into account when determining planning applications and, where possible, conditions imposed to ensure an adequate level of protection against noise.

On sites within NEC C, planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise. The PPG also defines day and night measurements (Day 07:00-23:00 hours, Night 23:00-07:00 hours).

- 7.104 The average measured noise levels at each monitoring position are shown below:

Monitoring Position	Daytime LAeq, 16hrs	Night-time LAeq, 8hrs
Position 1 (North)	65	56
Position 2 (South)	64	56

- 7.105 These measurements and the daytime noise map indicate that the site is generally in NEC B with some small strips of land at the western boundary adjacent to the A3(M) within NEC C.
- 7.106 The predicted impact from Hindhead Tunnel has also been assessed using data from the Department of Transport regarding the predicted 2012 traffic flows with or without vehicles, following the opening of the Hindhead Tunnel. The nearest predictions to the site are for the A3(M) at Petersfield, where vehicles are predicted to rise by 5%, equivalent to a 0.2dB increase in noise level.
- 7.107 The Assessment Report indicates that the development would be designed to ensure acceptable internal noise levels are achieved, whilst taking into account all current and future permanent noise sources.
- 7.108 Mitigation measures are explored in the Assessment Report and the noise contour map has been used in developing the layout of residential buildings. The layout of the development has been designed to provide the most practical screening from the A3(M), with the properties largely restricted to areas of the site within NEC B. The earth bund at the boundary of the site with the A3(M) has some variation in height which generates a level of uncertainty in the level of screening to traffic noise. Whilst the Assessment recommends some landscaping to the bund to provide a consistent, and higher, level of screening to optimise the level of protection from motorway noise, this improvement to the screening cannot be secured as it is outside the site.
- 7.109 All of the submitted information has been fully assessed by the Environmental Health Officer. Concerns over the NEC of the site and the impact of traffic noise have been examined. The properties closest to the road are located at the boundary between NEC B and NEC C.
- 7.110 It is noted by the Environmental Health Officer that the majority of the site and properties are located in NEC B where noise needs to be taken into account in determining the application, and where necessary conditions to ensure an adequate level of protection against noise is provided. The Environmental Health Officer comments on the exact position of the contour representing the boundary between NEC B and NEC C, and advises that it is far to simplistic to say that dwellings are acceptable at one point and unacceptable a few feet away on the other side of a notional line. He comments that in practical terms and subject to the imposition of a suitable condition, it would make little difference to the occupiers inside dwellings whether they were in NEC B or NEC C, since suitable glazing and acoustically insulated ventilators would have to be specified to achieve the same internal target level.

- 7.111 In the light of these considerations, it is concluded that the development would, subject to the imposition of suitable noise conditions, achieve an acceptable environment for future occupiers. It should be noted that as the application is outline, the layout of the accommodation within the buildings is subject to further detailed consideration at the reserved matters stage.

(viii) The Effect of the Development on Ecology

- 7.112 The proposal has been assessed in terms of both its on site and off site impacts on Ecology. Consultations have been carried out with Natural England, The Environment Agency, Southern Water and Hampshire County Councils Ecologists, and their comments are summarised in Section 5 of this report.

Off Site Impacts:

- 7.113 The site is approximately 1km to habitats which form part of the Langstone Harbour Site of Special Scientific Interest (SSSI). This SSSI is part of the Chichester and Langstone Harbours Special Protection Area, and a Wetland of International Importance under the Ramsar Convention (Ramsar Site). It also forms a component of the Solent Maritime SAC.
- 7.114 The main potential impacts on these areas are considered to arise from any additional recreational pressure on the protected areas from future site residents and secondly, any potential impacts from the development on the stream crossing the site which leads eventually into Langstone Harbour and the SSSI. Littlepark Wood is a Site of Interest for Nature Conservation (SINC) and the impact on this area also requires consideration.
- 7.115 In terms of the additional recreational pressure, it is considered important that future residents have opportunities for informal recreation close to the site, rather than necessarily relying on the Harbour for recreational activity. In this regard the site itself would provide areas for informal recreation which would serve a dual use with the sustainable urban drainage requirements. In addition, the provision of the cycle/footpath accesses to Portsdown Hill Road and Scratchface Lane provide links to other recreation areas and wider footpath networks. The site is also close to the Recreation Ground in Scratchface Lane and approximately 840m from Bidbury Mead Recreation Ground. It is considered that the development is unlikely to lead to unacceptable additional recreational pressure on the SSSI or designated sites.
- 7.116 With regard to the potential impacts on the stream and via the watercourse the SSSI/designated sites, the impact of the development on the stream has been fully considered. Subject to the imposition of suitable conditions it is not considered that the foul and surface water drainage systems would be likely to have a harmful impact on the water environment and, by association, the wider internationally protected areas.
- 7.117 It is noted that Natural England state that having considered the information provided and the potential environmental impacts resulting from the proposal, this application is unlikely to have implications for the SSSI.
- 7.118 In relation to the impact on Littlepark Wood which is a SINC, there would be no direct additional access to the woods as a result of this development.

The wood is already adjacent to residential and commercial activity and although the development may result in additional pressure on this area, it is considered unlikely that this would be significant.

On Site Impacts

- 7.119 The application has been submitted with an Ecological Survey Report and the development has been considered in detail by the Hampshire County Council Ecologist. As a result the scheme has been amended to address concerns, relating particularly to the impact on reptiles.
- 7.120 A Phase 1 habitat survey was submitted with the application with the following issues/species addressed:
- Botanical surveys
 - Animal surveys
 - Assessment of current bat roost potential
 - Systematic inspection for bats or evidence of bats
 - Great Crested Newt
 - Otter and Water Voles
 - Badger
 - Birds
 - Widespread species of reptiles

Habitats and plant species

- 7.121 The Phase 1 habitat survey identified that the majority of the site is horse-grazed improved grassland (the northern field) or rough grassland with extensive patches of nettled vegetation and bramble scrub (the southern field). The vegetation associated with the two bungalows is lawns with flowerbeds and ornamental planting. The boundaries are hedges with gaps and fences. No plant species of note were recorded from the site.

Bats

- 7.122 Surveys have been carried out in relation to bats both in relation to roost potential and commuting and foraging bats.
- 7.123 In terms of bat roost potential, the bungalows (to be demolished) were assessed as having moderate bat roost potential and the line of Oak trees along the stream in the centre of the site were assessed as having features suitable for roosting bats. Surveys of these potential roosts were therefore carried out and the following results found:
- No evidence of roosting bats was found in or around the perimeter of the buildings therefore the proposed development has no impact on bats or bat roosts within the buildings.
 - Bats were recorded emerging from Oak trees in the centre of the site. If these are affected by the development a European Protected Species (EPS) license from Natural England must be obtained.

- 7.124 There are good potential flight-lines from the woodland in the north (Littlepark Wood East SINCE) along the scrub on the embankment to the A3(M), to the stream dividing the site and the south field, which contains rough grassland. The grassland in both fields and the stream could be used by foraging bats. In addition, nearby gardens provide some green space, although suitable habitat for foraging bats is rather limited in this area. Bats follow linear landscape features such as lines of trees, hedges, buildings and waterways in order to commute to and from their feeding grounds. Likewise they use these features to navigate between feeding areas and alternative roosts.

As a result of these findings the Protected Species Surveys Report contains outline mitigation measures. These include:

- Suggested retention of mature Oak trees in the centre of the site (removing the necessity of an EPS license for bats).
- No lighting installed near or directed onto the retained trees or scrub along the edges of the site.
- Provision of bat boxes to Oak trees.
- Bat mitigation features designed into some of the new buildings.
- Sympathetically landscaped gardens to provide foraging cover and invertebrate prey.

The layout of the proposal would result in the retention of the important Oak trees in the centre of the site. The HCC Ecologist has raised no immediate concerns over the potential impacts on bats, and a planning condition is recommended in relation to the mitigation methods outlined in the Protected Species Survey Report.

Great Crested Newts

- 7.125 Surveys have been carried out in relation to Great Crested Newts to prove their presence or absence. An assessment of the suitability of the site for the species has also been carried out.
- 7.126 There is a shallow pond on site in the northern field near the Scratchface Lane entrance to the site. The hedge and scrub along the northern boundary is suitable foraging and hibernation habitat for great crested newt, as is the scrub on the embankment of the A3(M) and the scrub in the southern field. Because it is dry, the ditch at the base of the A3(M) embankment is not suitable for breeding Great Crested Newts.

As a result of the survey the report concludes that the pond appears to be seasonal and does not contain Great Crested Newt. Therefore the proposed development should not impact on Great Crested Newt.

Reptiles

- 7.127 Assessments of suitable reptile habitats and surveys in relation to reptiles have been carried out.
- 7.128 These identify the scrub and hedge to provide suitable habitat for foraging and hibernating reptiles such as common lizard and slow-worms. The rough grassland and tall-herb vegetation in the southern field also provides a large amount of foraging and basking habitat.

7.129 Low populations of slow-worms and common lizards were recorded in both the north and south fields. As low numbers of slow worms and common lizard have been confirmed on site it is proposed that they be translocated to areas of suitable habitat outside the development footprint, but within the boundaries of the site.

7.130 The Hampshire County Council Ecologist originally had concerns about the impact on reptiles as no dedicated reptile areas were provided. The revised plans indicate a dedicated reptile relocation area and have, as a result, overcome the concerns.

Other protected species:

7.131 The Ecological Survey Report February 2010 considers impacts on other protected species as follows:

No evidence of badger was found during the survey.

7.132 All trees, bushes and scrub on site could be used by nesting birds. To prevent any impacts, removal of any affected vegetation with the potential to support nesting birds should be undertaken outside the bird breeding season to avoid destruction of active bird nests, which is prohibited under the Wildlife and Countryside Act 1981 (as amended).

7.133 With regard to the impact on nesting birds the HCC Ecologist has requested a condition in relation to the timing/operation of vegetation clearance, and this is included in the recommended conditions.

7.134 The proposal has been amended to remove allotments from the site and to provide a reptile relocation area. This dedicated habitat site is supported by the County Ecologist. Whilst allotments are needed in the Borough, the land is not considered ideal for this purpose (steep north facing slope). The provision of allotments also raises concerns with regard to security and crime and disorder issues. On balance it is considered that the proposals are acceptable in relation to this area.

7.135 In conclusion, subject to conditions including the provision, management and maintenance of the reptile relocation area, the proposals are considered to have an acceptable impact on wildlife and ecology.

(ix) Impact on Trees

7.136 The proposal has been submitted with an Arboricultural Statement. The design of the proposed scheme has been influenced by the Arboricultural constraints imposed by the existing mature trees present on the application site, some of which are subject to Tree Preservation Orders (TPO No: 1934 and TPO No: 1755). The most significant arboricultural feature of the site is considered to be the line of mature Oak trees that cross the site adjacent to the stream. There are also several other areas of important boundary trees and groups of trees. Many of the boundary trees and groups of trees are shown to be retained along the eastern boundary, and they would provide important screening which would help to soften the impact of the development in relation to existing residential properties. Other important trees close to the northern and western boundaries are also to be retained.

7.137 The Arboricultural Statement identifies that the implications for trees is as follows:

Two individual trees on the site would be removed T28 (Hawthorn) a 'C' grade tree located within the area designated to be used as a detention basin, and T29 (Field Maple) designated as an 'R' grade tree. Category C are trees of low quality and value which might remain for a minimum of 10 years, or young trees with stems of less than 150mm diameter, and Category R trees are trees in such a condition that any value would be lost within 10 years, or should be removed for reasons of sound arboricultural management.

Groups 1 (Sycamore Cat C), 3 (Sycamore Cat C), 7 (Sycamore, Willow and Elder Cat C), 8 (Elder Cat C), 9 (Sycamore Cat C), 10 (Elder Cat C) and 11 (Elder Cat C), are also shown to be removed in order to facilitate the development. In the case of Groups 10 and 11, however, this was in order to accommodate the allotments previously approved. As this area is now designated for wildlife (reptiles) it may be that these groups can now be retained.

7.138 Whilst it is important to note that landscaping is a reserved matter, the layout is submitted for approval. The layout is considered to successfully retain important on-site and boundary trees. The Council's Arboriculturalist broadly approves the Arboricultural Statement. A condition is recommended in relation to the removal of permitted development rights (extensions and outbuildings) close to existing trees, and a condition is therefore included in the recommendation.

7.139 In relation to the future retention and management of trees adjacent to the A3(M) it is recognised that this area is outside the applicants control as the land is owned by the Secretary of State for Transport.

7.140 The proposals show additional landscaping indicatively including some planting to the eastern boundary and to the sides of the new roads, however these details would need to be considered further at the reserved matters stage should outline consent be granted.

(x) Other Environmental Impacts

7.141 In terms of other environmental impacts, the Environmental Health officer has considered air pollution to the site and has commented that although the site is close to a busy motorway, because of its open nature and elevated level the dispersal of pollutants emitted from traffic will result in concentrations well below the National Air Quality Strategy Objectives and air pollution is therefore not considered to be a material consideration.

7.142 As the site has not been previously developed there are not considered to be any likely underground contaminants that would impact on development.

(xi) Crime Prevention

7.143 In relation to crime prevention, Hampshire Constabulary Crime Prevention Design Advisor (CPDA) has commented on the proposals in detail.

- 7.144 The main issues highlighted relate to concerns over the permeability of the site. Whilst it is recognized that high permeability is conducive to walking and cycling, it can also lead to problems of anti-social behavior if routes have no natural surveillance. In this regard the CPDA has recommended only one entrance (apart from the vehicular entrance) to the site at the Scratchface Lane end. However, the proposal includes a second pedestrian/cycle access to Portsdown Hill Road.
- 7.145 The CPDA concerns over the Portsdown Hill Road entrance were in part based upon the security of the proposed allotments. These have now been removed from the proposals. The access to Portsdown Hill Road is considered an important element of the proposal in terms of urban design and accessibility. In particular the route would enable future residents and existing residents of nearby roads to have more direct access to Portsdown Hill with its recreational opportunities, and access to the Ten Pin Bowling Centre and Homebase retail unit. It is recommended, on balance, that the proposed southern entrance should be provided as part of the proposed development.
- 7.146 It is recognised that the route is limited in terms of public surveillance, although Units 2 and 3 do provide a limited amount of passive surveillance for the route. It is considered important therefore that the route is lit and that the route has as 'open' and unenclosed feel as possible. In this regard any fencing should be chain link rather than solid, and grass verges to the sides of the route should also be provided. A condition in relation to the detailed design of the route is therefore recommended.
- 7.147 It is also recognised that in order to help maximise the security of existing and proposed residents, the boundary treatments need to be controlled. Particularly important are the site boundaries to the eastern side. This boundary should be robust and secure to improve security. Where such treatment does not already exist new boundary treatment can be secured by condition.
- 7.148 The CPDA makes detailed comments with regard to other security requirements to achieve SBD. It is recommended that, should permission be granted, a condition to require full details of crime prevention measures to be submitted for approval is imposed in order to control the development in detail in the interests of crime prevention. Subject to this and the condition in relation the southern access route, it is considered that the development would successfully address crime and disorder concerns.

(xii) Sustainability

- 7.149 There are considered to be three main areas to assess in relation to the sustainability of the development. One of which relates to the sustainability of drainage issues, and has been addressed above. The other matters relate firstly to the sustainability of the site in terms of access to facilities and employment and secondly the sustainability of the construction.
- 7.150 As discussed in detail above, the site has been allocated as a Reserve Housing Site, and its suitability for residential development has therefore been established. The sites accessibility is assessed in the Transport Assessment submitted with the application. This demonstrates that the site has a range of facilities within walkable distance (local convenience store and bus stops). PPG13 (Transport) recognises that trips up to 2km and 5km respectively are reasonable distances for journeys to be made on foot and bicycle respectively.

- 7.151 The surrounding facilities of Bedhampton are within 2km of the site and are therefore considered accessible on both foot and by bicycle. These facilities include ASDA superstore, local shops and food outlets, schools, colleges, bus stops, Bedhampton station and recreation areas. Havant Town Centre is itself well within the 5km reasonable cycling distance.
- 7.152 In relation to the sustainability of construction, Havant Borough Core Strategy policy CS14 requires development to meet Code for Sustainable Homes Level 3 on completion. A condition is therefore recommended to ensure that this is the case.

(xiii) Archaeology

- 7.153 With regard to archaeology, the application has been submitted with an Archaeological Desk Based Assessment, and this has been assessed by the HCC Archaeologist.
- 7.154 There are no Scheduled Ancient Monuments on the study site. A Roman Road runs to the north of the site and this is marked by the public footpath at the end of Scratchface Lane.
- 7.155 The Archaeological Assessment considers that the site has a high potential to contain archaeological remains from the Roman period. The site is considered to have a low to moderate potential to contain remains from the Neolithic, Iron Age and Saxon/early medieval periods. Due to the lack of ground disturbance at the site, the proposed development does have the potential to have an archaeological impact.
- 7.156 The HCC Archaeologist confirms that the site is within an area of archaeological potential with a number of significant archaeological sites nearby. Although the HCC Archaeologist states that there are unlikely to be any overriding archaeological constraints, it is strongly recommended that an archaeological evaluation be carried out prior to the submission of any detailed application. An archaeological condition is required to achieve this, which will ensure that the impact on archaeology can be adequately addressed.

(xiv) Contribution Arrangements

- 7.157 The planning obligations will be delivered through a Section 106 Agreement. The total Section 106 package currently stands at approximately £465,000, although this figure could change due to on-going discussions. The details of the contributions and the Section 106 Heads of Terms are set out in full in **Appendix B**.

8 Conclusion:

- 8.1 In conclusion, on the policy issue regarding the release of this site for development there is considered to be no justification for refusal. The current requirement for a 5 year supply of housing following the recent drop in housing delivery, and the comparable appeal decisions elsewhere in Hampshire are important considerations in the acceptability of this site for housing development.
- 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 development is considered to have an acceptable impact on the residential amenities of adjoining residents subject to the detailed design of the proposed houses which would be considered 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 this would improve the permeability of the development. The proposal would make provision for contributions towards improvements to pedestrian and cycle infrastructure improvements.
- 8.5 The proposals seek to address drainage and flooding issues and the Environment Agency and Southern Water have confirmed that subject to conditions, they have no objections to the proposals.
- 8.6 Noise issues in relation to the adjacent A3(M) have also been considered in detail. Subject to conditions the Environmental Health Officer raises no objection to the proposed development.
- 8.7 Sufficient information has been provided as part of the application to satisfy HCC Ecologist that reptiles within the built development site can be successfully relocated into the reptile reception area. Other protected species can also be successfully accommodated subject to planning conditions and an Ecological Management Plan. The manner in which the development is proposed would not significantly harm the surrounding environment i.e. Brooklands Stream or the nearby SINC.
- 8.8 Trees are, where possible, proposed to be retained, and the Council's Arboricultural Officer raises no objections to the proposals.
- 8.9 Whilst Hampshire Constabulary raise some concerns in relation to the number of routes into the site, it is considered that the permeability of the site has significant advantages for residents of the site and residents of nearby roads. Subject to the imposition of suitable conditions in relation to boundary treatments, footpath design and Secured by Design requirements etc, it is considered that the development would satisfactorily address crime and disorder issues.
- 8.10 A package of planning obligations will be delivered through a Section 106 Agreement.
- 8.11 In summary, the proposed development is considered to comply with the saved policies of the HBDWLP 1996-2011 and the Core Strategy and National Planning Policy Guidance/Statements. As such the recommendation is for permission subject to a Section 106 Agreement and planning conditions.

RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/10/00497 subject to:

- (a) The completion of legal agreements under Section 106 of the Town and Country Planning Act 1990 and other relevant legislation, incorporating the terms set out in **Appendix B** to this report (subject to such changes as the Executive Head of Planning and Built Environment and the Solicitor to the Council may determine);
- (b) Planning conditions as set out in **Appendix C** (subject to such changes as the Executive Head of Planning and Built Environment may determine)

Appendices:

- (A) Summary of representation letters **(To Follow)**
 - (B) [S106 Agreement Terms](#)
 - (C) Planning Conditions **(To Follow)**
 - (D) [Highway Authority Statement](#)
 - (E) [Location Plan](#)
 - (F) [Site Plan](#)
 - (G) [Site Layout Plans 1-5](#)
 - (H) [Proposed Streetscene Illustration](#)
 - (I) [Proposed Sections](#)
 - (J) [Affordable Housing Layout](#)
 - (K) [Existing Drainage](#) **(To Follow)**
 - (L) [Surface Water Drainage and Waste Water Drainage Plan](#) **(To Follow)**
 - (M) Addenda/corrigenda (if appropriate)
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APPENDIX 4

Copy of Appeal Decision



Appeal Decision

Inquiry opened on 14 February 2012

Site visit made on 16 February 2012

by C J Ball DArch DCons RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 March 2012

Appeal Ref: APP/X1735/A/11/2160369

Land South of Scratchface Lane and West of Brooklands Road, Bedhampton, Havant PO9 3NT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Crayfern Homes Ltd against the decision of Havant Borough Council.
 - The application Ref APP/10/00497, dated 6 August 2010, was refused by notice dated 22 June 2011.
 - The development proposed is described in the application form as the erection of 92 open market and affordable dwellings comprising 4 no. 1-bedroom flats, 4 no. 2-bedroom flats, 31 no. 2-bedroom houses, 44 no. 3-bedroom houses, 9 no. 4-bedroom houses, new vehicular and pedestrian access.
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. The inquiry sat for 3 days on 14-16 February 2012. I made an initial unaccompanied visit to the area on 13 February and I carried out a site visit on 16 February accompanied by the appellant, the Council and other interested parties.
3. The application was made in outline, with the matters of access, layout and scale to be considered as part of the proposal. Appearance and landscaping are matters reserved for future consideration.
4. Following an amendment of the scheme at application stage, the description was amended to 'the erection of 92 open market and affordable dwellings comprising 4 1-bedroom flats, 5 2-bedroom flats, 26 2-bedroom houses, 48 3-bedroom houses, 9 4-bedroom houses, new pumping station, new vehicular access from Brooklands Road including demolition of 2 dwellings, and new pedestrian and cycle accesses onto Scratchface Lane and Portsdown Hill Road.' Although the original description was used in the application decision notice, it was confirmed at the inquiry that this was an error. I have adopted the amended description for the purposes of the appeal.
5. The North Hill Bedhampton Residents Association (NorHBRA) was granted Rule 6 status for the inquiry. Although the Council's case centred on the 2 reasons for refusal (related to noise and the lack of planning obligations), NorHBRA made a wide range of objections, supported by Councillors and other local residents. I have taken all these objections into account.

Agreed matters

6. Before the inquiry the appellant and the council submitted a statement of common ground. This sets out the planning history of the site and the policy background, and lists issues not in contention including that the 2nd reason for refusal would be overcome if met by planning obligation. The parties agree that, with the appropriate planning obligations in place, the scheme would have an acceptable impact on the highway network and an appropriate level of car parking; it would not lead to an increased risk of flooding or have an adverse effect on protected species; it would be of high quality design and there would be adequate separation distances between dwellings, new and existing; it would make a meaningful contribution towards meeting the need for affordable housing; the site would be in an accessible and sustainable location and would provide new pedestrian and cycle links; and the development would accord with the spatial strategies of the development plan.
7. At my request, a statement of common ground between the expert noise witnesses was submitted at the inquiry. This sets out agreed matters including a description of the site's noise climate; noise propagation modelling methodologies; assessment methodologies and the utilisation of appropriate standards, guidance and local policy; and an assessment of noise impact and amenity. It confirms that the external noise environment is the sole matter at issue between the main parties.
8. A statement of common ground between the expert highway witnesses was also submitted at the inquiry. This sets out the agreed access strategy; site traffic generation; and sustainability and accessibility considerations. It confirms that, subject to appropriate conditions and obligations, the local highway authority has no objections to the proposal.

Planning Obligation

9. Before the inquiry the appellant submitted a draft of a unilateral undertaking as a deed of planning obligation under s106 of the Act. An executed undertaking, unaltered from the draft, was submitted at the end of the inquiry. In summary, the undertaking is intended to bind the appellant, should the appeal succeed:
 - to contributing £341,974.00 towards transport improvements including pedestrian and cycle routes, junction alterations and bus stop upgrades
 - to preparing and implementing a residential travel plan and to appointing a travel plan coordinator
 - not to commence development until a s278 Highway Agreement has been entered into for the alteration and improvement of local roads
 - to providing and laying out the reptile relocation area
 - to contributing £123,843.50 towards the provision, improvement and maintenance of playing space
 - to making if required a contribution not exceeding £5,000.00 towards traffic management measures on local roads
 - to forming, registering and operating a management company for the cleaning and maintenance of the common parts of the development

- to constructing the public right of way on the site for public use in perpetuity
 - to providing 39% of the total number of housing units as an integrated scheme of affordable housing and to transferring them to a registered affordable housing provider
 - to designing, implementing and maintaining a sustainable urban drainage system (SUDS), including the provision of a performance bond.
10. The Council considers that these provisions would overcome the 2nd reason for refusal. I consider this in more detail later.

Application for costs

11. At the inquiry an application for costs was made by Crayfern Homes Ltd against the Council. This application is the subject of a separate decision.

Main issues

12. I consider the main issues in this appeal to be:
1. Housing need and the sustainability of the location;
 2. The effect on the character and appearance of the area, with regard to housing density, access, trees and local wildlife;
 3. The acceptability of living conditions for the future occupiers of the development, with regard to the prevailing noise climate; and
 4. The impact of the development on local infrastructure and whether any harmful impact would be overcome by condition or planning obligation.

Reasons

13. The site lies on the western edge of Bedhampton, between the existing built-up area and the A3(M) trunk road. A raised earth bund separates the site from the road. The eastern boundary of the site adjoins the rear gardens of 2-storey detached and semi-detached houses in Hillmead Gardens and of mainly semi-detached bungalows in Brooklands Road. The site consists of 2 fields, mainly poor quality grazing land, divided by the Brockhampton Stream. The northern field falls gently from its northern boundary on Scratchface Lane to the stream, from where the southern field rises more steeply to its southern boundary on Portsdown Hill Road. There are 2 groups of trees protected by TPO along the stream and on the eastern boundary of the southern field.
14. The development would consist of a mix of 2-storey detached, semi-detached and terraced houses. Vehicle access would be from Brooklands Road, with additional pedestrian/cycle access onto Scratchface Lane and Portsdown Hill Road. Slow-worms and common lizards, both protected species, are known to be present on the site and an area of land to the south would be set aside as a reptile translocation site.

Housing need and the sustainability of the location

15. The site is allocated in the Havant Borough Local Plan (LP) as a reserve housing site. At the time the Council considered the application it could not demonstrate a 5 year housing supply, as required by PPS3. Although the Council refused the application, in the balance this clearly weighed in favour of the proposal. I note

that, following the grant of planning permission for a large local housing site, a 5 year supply does now exist. Nonetheless, recent decisions by the Secretary of State establish that reserve housing sites form part of the identified housing land supply. Development of this allocated site would comply with national and local housing policy objectives and, as an eminently available and achievable site, would help to ensure a continuous delivery of housing over the plan period. The Council makes no objection to development in principle. Local residents, and some councillors, argue that the site is not suitable for residential development. However, the site's allocation for housing is current Council policy and any review of that is a matter for the LDF process rather than through consideration of an individual appeal.

16. The development would provide a good mix of high quality, mainly family houses. A high proportion – 39% - would be affordable homes, going some way towards meeting the pressing need for 2 and 3 bedroom affordable family accommodation. The footpath/cycleway through the site would ensure that a range of retail, leisure, education and other facilities, including bus stops and rail station, would be within reasonable walking and cycling distance. Although there seems over the years to have been a range of assessments giving a variety of indications of the accessibility of the site, I note that the site ranked high in the accessibility matrix at the time it was recommended by the LP Inspector. Subject to the improvements envisaged through the planning obligation, I consider that the development would be in a sustainable location. Government policy set out in *Planning for Growth* makes it clear that sustainable development should be supported to ensure a quick return to economic growth. Taking all these matters into account I consider that the proposal would meet a clear housing need, in accordance with established policy objectives.

The effect on the character and appearance of the area, with regard to housing density, access, trees and local wildlife

17. The site would be laid out in a traditional manner with dwellings on either side of estate roads, reflecting the characteristic layout of the adjacent built-up area. The Council calculates that the development density of Hillmead Gardens is about 33 dwellings/hectare and that of Brooklands Road to be about 23 dwellings/hectare. This is low density development in terms of Core Strategy policy CS9. The density of the proposed layout of 92 houses and flats, excluding open space, SUDS features and the reptile translocation area, would be approximately 32 dwellings/hectare. Thus the proposed development would be consistent with the form and density of the adjoining area.
18. I note that the LP Inspector estimated that the site had a capacity for 65 dwellings. However, at that time, the site was within the designated Strategic Gap and extensive landscaping was considered appropriate. The site is no longer within the Strategic Gap so the extent of landscaping it is not now such a vital consideration. As PPS3 makes clear, there is every reason to make the most efficient use of available housing land. I consider that there would be sufficient additional landscaping, and retained trees, to harmonise the scheme with its surroundings so that the layout would accommodate the 92 dwellings without compromising the quality of the local environment.
19. The access to the site would be off a sharp bend in Brooklands Road and would involve the removal of a pair of semi-detached bungalows, built on a splay across the corner. There are other frontage gaps so the new opening would

not be uncharacteristic, and it would allow attractive views into the site of mature protected trees and open space. A single detached 4-bedroom dwelling, set back from the road, would act as an appropriate transitional feature between old and new development.

20. All the protected trees on the site would be retained, with the layout designed around them to make the trees a key feature of the development. The oak trees lining the stream, with green open space on either side, would be a particularly attractive focal point. The trees have been neglected and would receive appropriate maintenance, thereby ensuring the longevity of these important landscape features. There would also be scope for extensive tree planting throughout the site. A substantial wildlife corridor adjacent to the planted bund on the western boundary, appropriately planted, would link the reptile translocation area at the south of the site to Littlepark Wood to the north, a Site of Interest for Nature Conservation (SINC), and to the wider area. The wildlife corridor would also link to the oak trees along the stream. Bats are known to occupy these trees and the wildlife corridor would maintain flight paths and foraging routes to the north and south.
21. Thus the layout would be compatible with the surrounding area in terms of density and access, important mature trees would be retained and managed, new trees would be planted, reptiles would be relocated on-site and bat habitat would be protected. All these factors lead me to the view that, with regard to housing density, access, trees and local wildlife, the proposed development would have no harmful effect on the character and appearance of the area.

The acceptability of living conditions for the future occupiers of the development, with regard to the prevailing noise climate

22. The site lies immediately adjacent to the A3(M) trunk road. When the road was built, the earth bund was constructed to shield the adjacent area from excessive traffic noise. Nonetheless, noise surveys show that the site would be exposed to a degree of environmental noise. The road traffic emits a low, steady hum with slight variations reflecting daytime, rush hour and night time traffic levels. The daytime noise environment is accepted to be the worst case condition. No significant increase in noise levels has been found since the recent opening of the Hindhead tunnel, and no significant future increase is forecast.
23. PPG24 *Planning and Noise* sets out recommended noise exposure categories (NEC) for new dwellings near existing noise sources. The surveys indicate that most of the site falls within NEC B, where noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise. A narrow strip on the western edge of the site is within NEC C, where permission should not normally be granted. This strip increases in width to the south where the bund merges into embankment. The layout is intended to reflect these survey findings, with buildings located only within the area defined as NEC B.
24. The Council accepts that the internal environment of the dwellings can be protected from the impact of noise by conditions requiring façade protection and attenuated mechanical ventilation. That would provide acceptable living conditions within the dwellings. It was confirmed at the inquiry that the Council's objections relate only to external noise levels in gardens and public recreation areas. The surveys show that average noise levels are fairly consistent across the site. Existing gardens lie within NEC B, with a few

towards the north in NEC A. There can be an assumption that noise levels are higher closer to the road but, as I found at the site visit, it was perceptibly quieter near the bund than at the boundary with the gardens of the existing houses. That may be the combined result of the bund's shielding effect and the light westerly wind blowing that day but it was a convincing illustration that, in the prevailing conditions, noise levels in the public open spaces and the gardens of the new development would be likely to be little different to those found acceptable in the existing gardens.

25. There was some disagreement about the exact location of the boundary between the areas considered to be within NEC B and NEC C at the southern end of the site and whether some dwellings and gardens might be too close to, or indeed across, that boundary and so might be over-exposed to noise. Natural variation in the series of noise measurements makes it difficult to pinpoint an exact boundary and, as PPG24 indicates, there is a 'tolerance' of about 3 dB(A) above or below the recommended boundary levels which makes it more difficult to be precise about the impact. There is no sudden change across the boundary. Most of this area is given up to the reptile translocation site and the few dwellings at the southernmost end of the site potentially affected have been designed so as to shield their gardens from traffic noise. I consider that, with appropriate conditions in place to control internal conditions, these houses and gardens would not be over-exposed and that, overall, the design and layout of the development would take sufficient account of the prevailing noise climate.
26. I note that a proposal to develop the southern field was dismissed on appeal in 1992, partly because of the noise impact on external areas. That scheme showed houses with gardens within the exposed NEC C area. To some extent, that decision was superseded by the allocation of the larger site by the LP Inspector in 2004 but, in any event, I have considered this proposal on the basis of the layout and noise surveys now before me. Local objectors also refer to WHO recommendations of lower noise levels. These guideline values are aspirational and would exclude many developable sites. They have not been adopted as national criteria and a review undertaken by DEFRA in 1998 found that *'Exceedances of the WHO guideline values do not necessarily imply significant noise impact and, indeed, it may be that significant impacts do not occur until much higher degrees of noise exposure are reached.'* In the light of that, I consider that the appropriate standards for this site are those set by PPG24. This proposal would generally comply with them.
27. For these reasons I consider that the prevailing noise climate would not have a significant effect on the health and quality of life of the residents of the new development and that the layout would secure a reasonable degree of peaceful enjoyment of their gardens and the public recreational areas. Accordingly I consider that the proposal would provide acceptable living conditions for the future occupiers of the development.

The impact of the development on local infrastructure and whether any harmful impact would be overcome by condition or planning obligation

28. It is agreed that the proposal could have a significant impact on its surroundings and a range of local infrastructure and that various measures would be necessary to mitigate that. Suggested conditions were reviewed at the inquiry, including those relating to the internal noise environment. Other principal concerns include an increased risk of surface water flooding so details

of the design, implementation and management of a sustainable surface water drainage scheme must show how run-off would be restricted to no more than current rates. Foul water flooding is currently a problem in Brooklands Road so the scheme has been designed to connect into a separate system in Scratchface Lane, at a higher level, by a pumping station. Full details of the design and siting of the pumping station would be submitted for approval. The rate of discharge from the pumping station would be restricted to a maximum compatible with the existing sewer to avoid overload. A programme of archaeological investigation before commencement would ensure that significant remains are not lost.

29. A Construction Method Statement should ensure that local residents are not inconvenienced by the construction process. A range of conditions requested by the Highway Authority and the Environment Agency should ensure that the access and estate roads are constructed to the proper standards and that watercourses are protected. Provision of the site for, and the translocation of, on-site reptiles prior to commencement would minimise disruption to protected species. An Ecological Management Plan would ensure that wildlife habitat is conserved and biodiversity potential enhanced. These conditions reflect the advice of specialist consultees. Other conditions relating to more detailed matters were also considered at the inquiry. Subject to adjustments as discussed to ensure compliance with Circular 11/95, to improve clarity and consistency and to reflect the Inspectorate's list of published conditions, I consider that the suggested conditions would be a necessary and reasonable means of overcoming these potential impacts.
30. The appellant's unilateral undertaking is aimed at meeting a range of local policy objectives with the intention of overcoming or substantially mitigating a number of potentially harmful impacts on local infrastructure. The Council submitted evidence to show why these provisions are necessary. Contributions towards transport improvements and a Travel Plan would improve the accessibility of the site and increase the sustainability of the location. For similar reasons the right of way on the site would be made available for public use in perpetuity. A contribution towards improving facilities in the local park would ensure that it could cater for the additional child population. The provision of a performance bond is necessary to ensure that the SUDS is properly constructed. The commitment to providing a proportion of affordable housing would meet national and local policy objectives. The formation and operation of a management company to maintain the non-domestic parts of the site is vital to the success of the development. However, I am not convinced that an obligation to provide the reptile relocation area is necessary since, given that it would be maintained by the management company, its formation is effectively required by suggested condition 50. I give that provision little weight.
31. With that exception, I consider that the provisions of the planning obligation would be necessary to make the development acceptable in planning terms. They would meet the tests of CIL Regulation 122 and the policy objectives of Circular 5/200 and would overcome the impact on local infrastructure that the development would otherwise have in those respects.
32. The acceptability of the scheme in this regard is therefore dependent on the effectiveness of the planning obligation. The appellant submitted the executed undertaking as 4 counterpart obligations, each identical but signed by different

parties. It was explained that it had not been possible to arrange for all the parties to sign a single document. This presents considerable difficulties. The obligation is a public law document which has to be entered on the planning register and the local land charges register and it may be copied to a range of interested parties. It is vital that it is clear on the face of the document that all parties with an interest in the land are joined in. That is not clear from each or any of the otherwise identical counterpart copies. To be effective there must be a single document signed by all the parties.

33. Furthermore, 2 of the properties concerned are subject to mortgages but, while the mortgagees are listed as interested parties and signatories to the deed, they have not signed the document. The appellant argues that this does not matter since he will become successor in title. However it is conceivable that the mortgagees could take possession. They would not then be bound by the undertaking and the provisions of the obligation could not be enforced. I also heard that one of the listed signatories is no longer a party to the undertaking. For these reasons the undertaking is unsatisfactory and, since there are circumstances in which it might become unenforceable, I consider that it would not effectively overcome the harmful impact of the development on those parts of the local infrastructure to which it refers. This is a critical failing.

Other matters

34. Access to the site would be from Brooklands Road, as envisaged in the LP Inspectors report. I recognise that the impact of the development on the local road network is a matter of considerable concern to local residents. However, the highway authority has carried out detailed investigations and concludes that road widths and alignments are adequate and there is sufficient capacity within the local road network to accommodate additional traffic from the development. Similarly, while there would be an increase in traffic using junctions in the wider network, the highway authority considers that there is sufficient capacity to absorb it. A highways objection to the proposal is not therefore justified.
35. Local residents also consider that crime prevention advice is being ignored. The Police recommend limited access into the development so that there would be no alternative escape routes for wrongdoers. This is contrary to urban design advice promoting the permeability of development and would also seriously limit the accessibility of the site. A suggested condition would require measures to reduce the possibility of crime and anti-social behaviour so, taking that into account, on balance I consider the more permeable layout to be acceptable.

Conclusions

36. This urban extension proposal is essentially consistent with the criteria of Core Strategy policy CS16 and national policy objectives intended to promote sustainable housing development. The consequential impact on local infrastructure could be overcome by appropriate conditions and a planning obligation. However, that depends on a binding and enforceable undertaking. The executed document as submitted cannot be relied on to deliver what it promises. For that reason alone I dismiss the appeal.

Colin Ball

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Peter Towler of Counsel	Instructed by Jo Barden-Hernandez, Solicitor to the Council.
He called:	
Graham Wright BSc DipTP MRTPI	Senior Engineer, Highways Development Planning Team, Hampshire County Council.
Reuben Peckham BEng MPhil CEng MIOA	Principal Consultant and Director, 24 Acoustics Ltd.
Alexander Sebbinger MRTPI	Development Control Officer, Havant Borough Council.

FOR THE APPELLANT:

Paul Stinchcombe QC	Instructed by PRO Vision Planning and Design.
He called:	
Edward Clarke BEng(Hons) MIA	Acoustics Consultant and Technical Director, Alan Saunders Associates.
David Wiseman BA(Hons) RTPI	Associate Director, Stuart Michael Associates.
Davog McCloskey BSc(Hons) MIEEM	Director of Ecology, PV Ecology.
Jeremy Muscroft BEng CEng MICE MCIWEM MCIHT	Director, Capita Symonds, Water and Infrastructure Division.
Jeremy Higgins BSc(Hons) DipTP RTPI	Associate Director, PRO Vision Planning and Design.

FOR THE RULE 6 PARTY:

Jim Graham	Chairman, North Hill Bedhampton Residents Association (NorHBRA).
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OTHER INTERESTED PERSONS:

Cllr Jenny Wride	Borough Councillor.
Cllr Liz Fairhurst	Borough Councillor.
Cllr Ann Buckley MCIH	County Councillor.
Kate Turner	Havant and Bedhampton Community First.
Jeffrey Lane Regd. Psychotherapist	Local resident.
David Lee	Local resident.
Elaine Surrey	Local resident.
Pauline McKeever	Local resident
Shelagh Baker	Local resident.
Paul Bunnage	Local resident.
Kevin Marston	Local resident.
Chris Kinge	Local resident.

ADDITIONAL DOCUMENTS SUBMITTED AT THE INQUIRY

- 1 Mr Wright's replacement proof of evidence, to include missing appendices.
- 2 Statement of common ground – Highways.
- 3 Statement of common ground – Noise.
- 4 Copy of Mr Clarke's letter dated 11 January 2011 to PRO Vision.
- 5 Mr Graham's PowerPoint slides.
- 6 Cllr Wride's statement, photographs and plans.
- 7 Cllr Buckley's statement.
- 8 Ms Turner's statement.
- 9 Mr Lane's statement.
- 10 Mr Lee's statement.
- 11 Ms Baker's statement.
- 12 Mr Bunnage's statement and appendix.
- 13 Ecological statement of Nik Knight MA(Cantab) MSB.
- 14 Cllr Smith's statement (read to the inquiry).
- 15 Mr Petrie's statement (read to the inquiry).
- 16 Copy of site layout plan 9982/P 04 B, cross hatched, referred to in suggested condition 23.
- 17 Copy of Register of Title, 34 Brooklands Road.
- 18 Copy of draft contract for sale of affordable housing to a registered affordable housing provider.
- 19 Executed S106 unilateral undertaking in 4 counterpart copies.
- 20 Mr Graham's closing submissions for NorHBRA.
- 21 Mr Towler's closing submissions for the Council.
- 22 Mr Stinchcombe's closing submissions for the appellant.
- 23 Costs application on behalf of the appellant.

APPENDIX 5

Copy of email from Havant Borough Council

Jeremy Higgins

From: Flo Churchill [Flo.Churchill@havant.gov.uk]
Sent: 15 July 2010 08:30
To: Jeremy Higgins
Cc: Chris Lyons; David Mussell
Subject: RE: Land off Scrathchface Lane, Bedhampton

Jeremy

I can confirm that your understanding is correct. Havant Borough Council will not raise an in principle policy objection

with regards

Flo Churchill

Interim Manager
Havant Borough Council,
Civic Centre
Havant
PO9 2AX
Direct Line: 02392 446531
email: flo.churchill@havant.gov.uk

Information in this message is confidential and may be legally privileged. It is intended solely for the person to whom it is addressed. If you are not the intended recipient, please notify the sender, and please delete the message from your system immediately.

From: Jeremy Higgins [mailto:j.higgins@pvprojects.com]
Sent: 14 July 2010 15:53
To: Flo Churchill
Cc: Chris Lyons; David Mussell
Subject: Land off Scrathchface Lane, Bedhampton

Dear Flo,

I write further to our telephone conversation this morning regarding the outline planning application that we are in the course of finalizing for the above site, which as you are aware, is an allocated reserve housing site in the adopted Havant Borough Local Plan.

From our conversation, I understand that you will not be raising an "in principle" objection on planning policy grounds to the submission of the application and indeed, are proceeding to determine the application which has already been submitted for the allocated reserve site at Hampshire Farm.

I would be grateful if you confirm that my understanding of our conversation is correct and look forward to hearing from you in this regard.

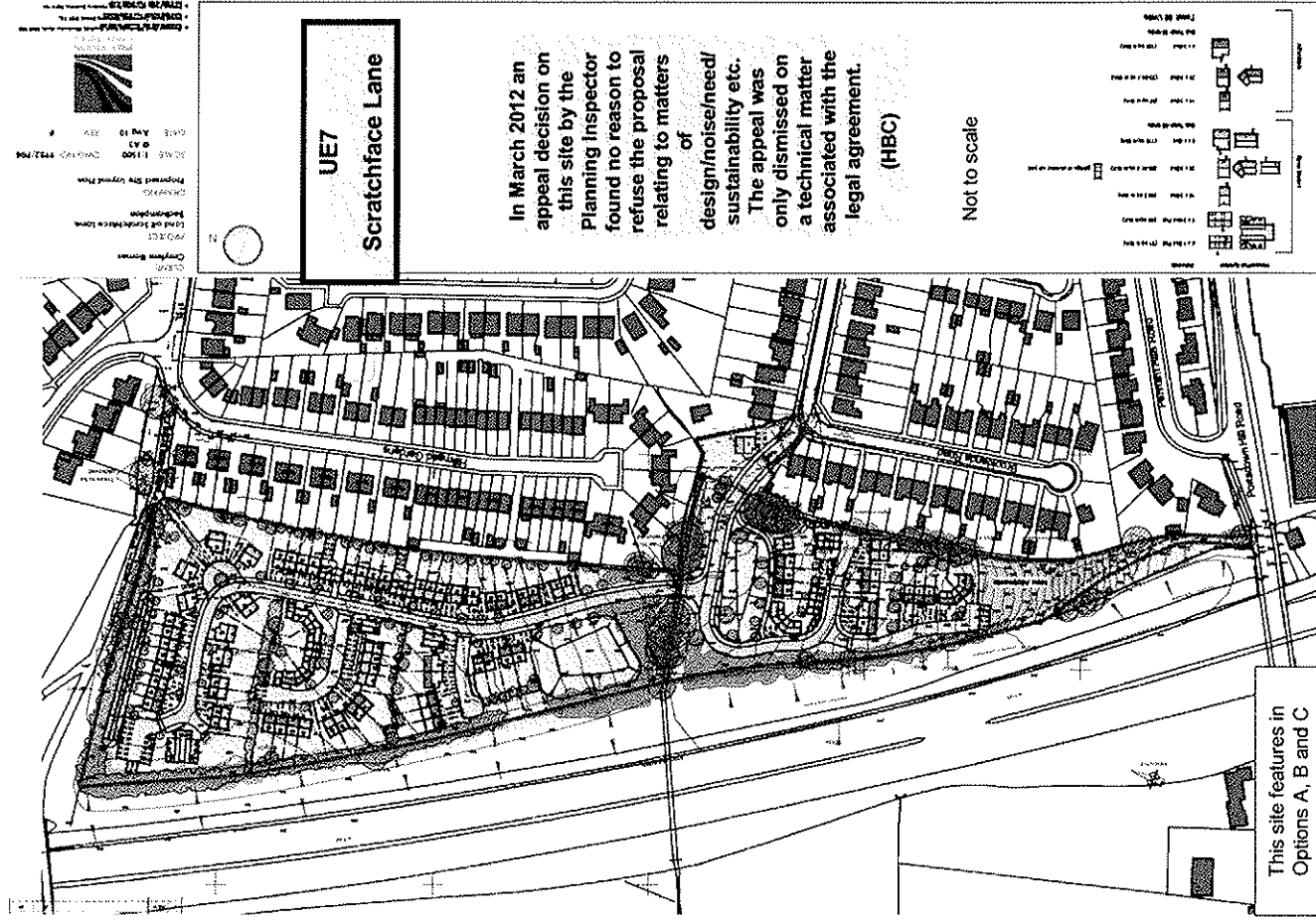
I am copying this email to Chris Lyons for his information.

Regards

APPENDIX 6

**Copy of material relating to application site
being used for the Site Allocations DPD**

Site Address: Scratchface Lane	Site Ref: UE07(H)	Site Area: 1.77ha	Possible Yield: 65 dwellings
Site Constraints: - o Noise (from A3M) - o Aquifer Protection Zone - o Adjacent to SINC - o TPOs - o Archaeology Zone		Current Use: Open fields	
		Proposed Access Points: Vehicular Access from Brooklands Road Pedestrian / Cycle Access from Scratchface Lane & Portsdown Hill Road	
Specific Benefits of Developing Site UE07(H):			
The site is a sustainable location and future residents would have the ability to access key local facilities such as local schools and the ASDA supermarket without having to use a car The site provides the opportunity to improve the pedestrian permeability of the area and provide more direct pedestrian connections between well used existing Rights of Way			
Proposals To Overcome Site Constraints:			
The planning application ref (APP/10/00497) submitted for the residential development of the site demonstrates how the site constraints can be overcome and a number of dwellings greater than anticipated by the Council provided in an acceptable fashion.			
Wider Benefits of Development (including any associated infrastructure the site is likely to deliver or contribute towards):			
The development of the site would assist in meeting the identified need for both open market and affordable housing within the Borough on a site which has been identified as suitable for new housing development by the Council in the adopted Local Plan.			
Other Information (including explanation of accompanying plan):			
The site layout plan shows how the site could be developed for 92 dwellings, taking account of the site constraints to produce a high quality design with its own sense of place and a density that was in accordance with the character of the area. The site layout plan has been endorsed by the Council's officers.			
Pro-forma completed by (delete as appropriate): OWNER / AGENT / DEVELOPER / COUNCIL			



This information has been provided as an indicative indication as to how development could occur.

HAVANT BOROUGH LOCAL PLAN (ALLOCATIONS)

HOUSING OPTIONS MATRIX: HAVANT & BEDHAMPTON

Site ref.	Site name	Dwellings	Option A	Option B	Option C
H6	Warblington School Field (off New Lane)	56	✓	✓	✓
H7	Wessex & Network Rail land, New Lane	50 - 70	✓	✓	✓
H14	Portsmouth Water HQ	48	✓	✓	✓
H18	Portsmouth Water land	100 - 161	✓	C	✓
H19	Land at Palk Road	21	✓	✓	✓
H68	Havant War Memorial Hospital	12	✓	✓	✓
H69	Former Oak Park School	22	✓	✓	✓
H75	Land at River Way	10	✓	✓	✓
H76	North east of Havant College, New Road	41	✓	✓	✓
H144	Barncroft School	34	✓	✓	✓
UE3a	Land north of Bartons Road	30	✓	✓	✓
UE3b	Land south of Bartons Road	320	✓	✓	C
UE4	Strides (Manor) Farm & Copsey's Nursery	70	C	✓	✓
UE5	Land at Portsdown Hill	80	✓	✓	✓
UE7	Scratchface Lane, Bedhampton	92	✓	✓	✓
UE28	Littlepark House, Bedhampton	47	✓	✓	✓
UE30	Land south of Lower Road, Bedhampton	50	✓		✓
UE33	Eastleigh House, Bartons Road	5	✓	✓	✓
-	Havant Town Centre	260 - 310	✓	✓	✓

✓ Included in Option

C Contingency site

APPENDIX 7

Copy of Contextual Analysis

-  Application Site
-  Tree Belt
-  Important for ecology
-  Glimpse Views
-  Landfall
-  Embankment / Bund
-  Road noise
-  Vehicular Access
-  Possible future access
-  Public Right of Way

Based on Ordnance Survey Scale Map Data
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CLIENT

Crayfern Homes Ltd

PROJECT

Land at Scratchface Lane, Bedhampton

DRAWING

Contextual Analysis

SCALE

1 : 2500 @ A3

DATE

October 2009

DRG.NO.

9982 / CA1

REV

-



-  Grosvenor Court, Winchester Road, Ampfield, Winchester, SO51 9BD
Tel: 01794 368 698 Fax: 01794 368 637 email: admin@pvprojects.com
-  Market House, Corn Market, Wimborne, BH21 1JL
Tel: 01202 840 406 Fax: 01202 840 406 email: admin@pvprojects.com
-  The High House, 37 Oxford Street, Newbury, RG14 1JG
Tel: 01635 40184 Fax: 01635 41459 email: admin@pvprojects.com

Y:\Winchester Projects\9982 Scratchface Lane



LAND AT SCRATCHFACE LANE, BEDHAMPTON

CONTEXTUAL ANALYSIS PLAN

SCALE 1: 2500 @ A3



APPENDIX 8

Copy of Constraints Plan

REV.	DATE	AMENDMENTS	DRAWN	CHECKED
#	APR 10			



- Tree Survey
- Tree Canopy
 - Tree Group Canopy
 - Root Protection Area
 - Trees to be removed
 - No Development Area
 - EA Water Access

CLIENT:
Crayfern Homes

PROJECT:
**Land off Scratchface Lane,
Bedhampton**

DRAWING:
Constraints Plan

SCALE: **1:750 @ A1** DWG NO: **9982/S01**

DATE: **Apr 10** REV: **#**

APPENDIX 9

Copy of Concept Plan



CLIENT:
Crayfern Homes

PROJECT:
**Land off Scratchface Lane,
Bedhampton**

DRAWING:
Concept Plan

SCALE: **1:750 @ A1** DWG NO: **9982/C01**

DATE: **Aug 10** REV: **#**



● Grosvenor Court, Winchester Road, Ampfield, Winchester, Hants. SO51 9BD
Tel: 01794 368 698 Fax: 01794 368 637
○ Alport House, Commercial, Wincoburn, Dorset, BH21 1JL
Tel: 01202 840405 Fax: 01202 840406
○ The High House, 37 Oxford Street, Newbury, Berkshire, RG14 1JG
Tel: 01635 40164 Fax: 01635 41469

APPENDIX 10

3D images of Proposed Scheme

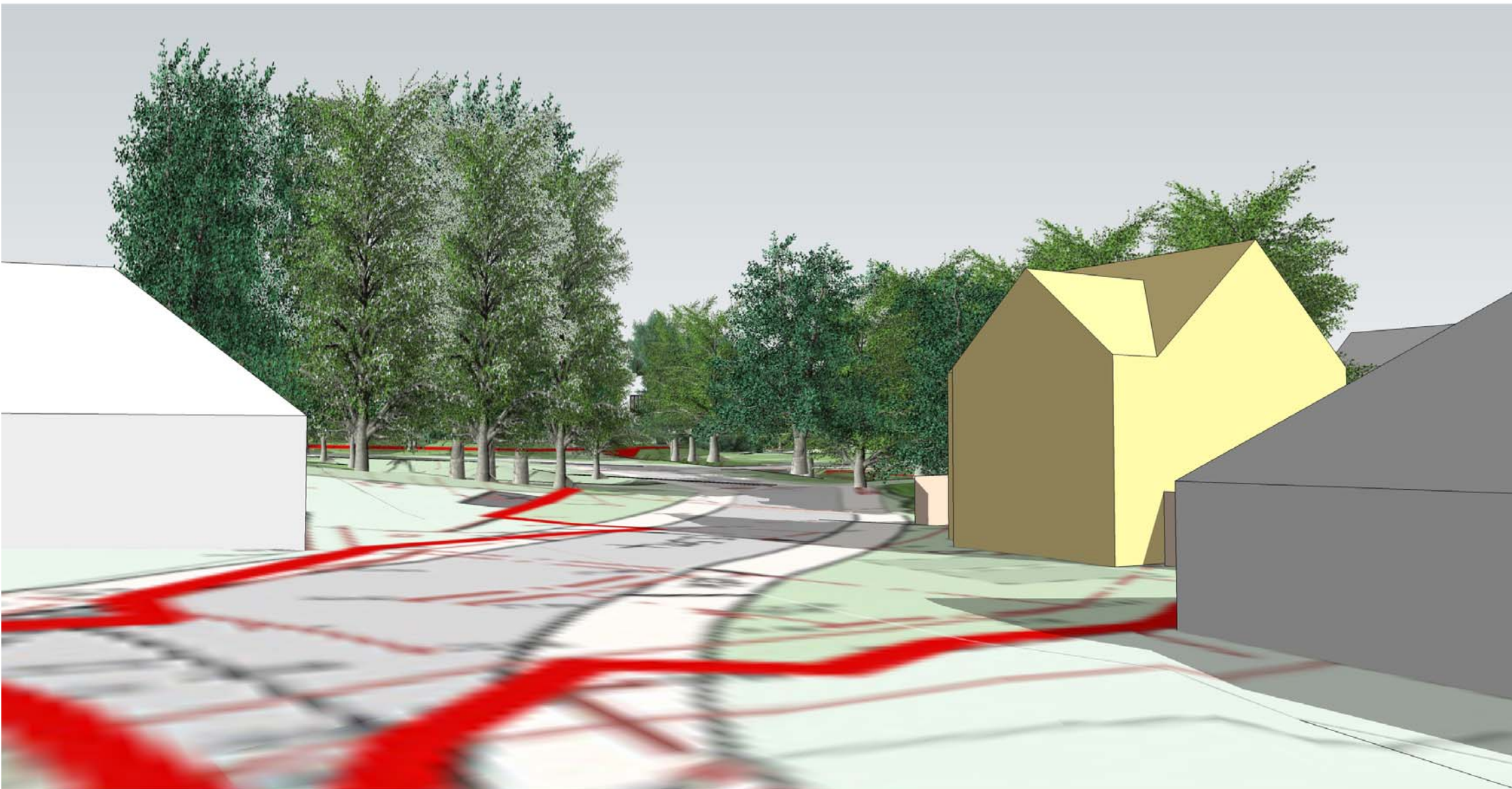












APPENDIX 11

Indicative detail of treatment for on-plot parking areas



Indicative detail for treatment of on-plot parking areas