

To: Ms Daphney Haywood, Planning Policy Team, Havant Borough Council

Objection to APP/20/01093: Erection of 195 dwellings, associated open space, pumping station, substation and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area (Resubmission of APP/18/00724) | Land at Sinah Lane, Hayling Island

Dear Ms Haywood,

This letter is my objection to the planning application APP/20/01093.

Surface Water Drainage

Attenuation Basin

The base of the attenuation basin/pond is to sit at a lower level than that of the groundwater within the site.

This is incredibly risky, given that any breach in the man-made basin over the life of the system will cause:-

- Contamination of groundwater
- Flooding of private homes and community infrastructure
- Changes to the density of land beneath the clay layer potentially leading to subsidence
- Increase in nutrient rich water run off from the site

Offsite effects

The effects of this drainage mitigation are not contained within the site.

Concerns about the offsite environmental impact from this proposed mitigation are justifiably raised in other consultation comments but it should also be noted that offsite residents are also directly impacted.

Due to the vast amount of water that is currently held on the site (especially post rainfall), any failure in these flooding mitigation systems will cause massive flooding to houses in and around the site, given the amount of hard surfaces that are to replace the current agricultural land.

This will create a dependency for both onsite and offsite residents upon the drainage system within this proposal - a dependency on pumps functioning and the integrity of the rest of this engineered solution such as holding tanks and filtration systems.

Has this been made clear to Councillors and affected residents?

Is there not an obligation to directly and clearly inform anyone who is affected by this?

The consultation process alone is not enough to convey such an important issue to affected residents. The council cannot simply presume that all will read and understand what are highly technical documents in order to reach this conclusion for themselves. Something along the lines of "Dear Sinah Ln, North Shore Rd or Salt Marsh Lane resident, a planning application on a site adjacent to your property proposes to increase the risk of severe flooding of your property, we thought you should be made aware of this...".

Climate change (CC) will increase demand on any flood mitigation systems. In recent years, forecasts for the impact of CC have been continually revising up predicted sea levels, precipitation levels and damaging effects upon coastal areas. This should be taken into account when decision-makers assess the feasibility of this mitigation and not simply based on current forecasts that are likely to be out-of-date after the next cycle of scientific analysis. These forecasts must also not just be based on the developer's own commissioned flood risk assessment that might well be based on standard Greenfield runoff rather than actual calculations for this site.

Levies and Appeals

Financial Incentive

Raising money from this development has been mentioned many times as a key motivation for accepting this proposal. However, costly infrastructure spending on this site itself is needed to avoid a severe impact from development in vital areas such as:-

- the transport network (impacting emergency service provision for the entire island etc.)
- flooding (continued management and upkeep etc.)
- sewage (current Island infrastructure is already struggling at current capacity)
- ecological impacts (bird refuge management etc.)

(It should be noted that these areas are also interrelated, for example the flooding mitigation management will need to coordinate with the bird refuge management and compensation for coastal erosion of this area may also be necessary)

Whether money raised from the development is through infrastructure levies or direct 'contributions' to various parties, there is no obligation, especially upon the council, for this money to be spent on mitigating the impacts from this site. How can this mitigation be seen as achievable if the money raised by this development might well be required for more pressing council matters? There may well be a need for more borough flood defences, more nutrient neutrality compensation/mitigation, Island sewage infrastructure, even post pandemic recovery so there is real doubt that mitigating the impacts from this development will be high on the council's priority list.

Furthermore, accepting this proposal for raising money, is also seen by some as important due to the potential loss of this CIL money should the application be allowed following any appeal.

However, as this site is already subject to an application that is at the appeal stage, by the same developer, for the same number of houses, this argument should be seen **not** as a reason to pass this proposal but simply as a **tactic**, meant to apply unjust pressure on decision-makers to put money ahead of conscience.

Process

Scrutiny of Information

Having witnessed a previous development management committee (DMC) concerning this site, it is clear that there is a systemic problem relating to how information is communicated to decision-makers.

Throughout the consultation process, Councillors and consultees raise many important questions, in the hope that any answers given will help inform, not only their own view of the proposal, but others as well. These questions and requests for further information are seen throughout the application process within meeting agendas and consultee comments etc.

The answers to questions that arise during consultation and site viewings by Councillors etc, can be given too late in the process for proper scrutiny.

When incorrect explanations and answers to critical questions are being given as late as at the DMC itself, it does not allow enough time for the correction of what can be inaccurate, misleading and distracting advice given to decision-makers, who must then digest often quite complex information and processes just before making their final decision.

At a previous DMC on this site, there were answers to questions raised some time earlier in the process regarding important site characteristics such as Tidal Locking and transport mitigation and the answers given were both incorrect and a distraction from what are crucial issues upon which this particular application hinges. How can we, and Councillors, have confidence in decisions made when such influential topics are shrouded in ignorance and debate is side tracked by misinformation?

Furthermore, when Councillors raise important points about site specific mitigation, it is particularly poor practice to simply shut down this line of questioning by stating that previous Council decisions have covered the issue in question.

At the DMC regarding an application for this site, Councillors tried many times to get an answer as to what exact measures, and their effects, were deemed necessary in order to mitigate for the severe impact that this development would have on the transport network of Hayling Island. They were told that a previous decision regarding the transport network in this area had already been passed by the council, the Hayling Island Transport Assessment, yet nobody was forthcoming about the specific mitigation measures, their cost and their effectiveness. The answer that should have been forthcoming was that in order to mitigate for a severe impact upon Hayling Island from development, measures that will cost far more than money raised by this development are needed, rendering the transport mitigation for this site unfeasible, unsustainable and unachievable without plenty of other large development levies - resulting in this application's development causing a severe impact on the transport network.

The Council needs to be able to scrutinise the direct implications of each development upon their community, so it cannot be correct to swerve such questions. Such questions are asked in order to ascertain the real world consequences of a development and should not be dismissed simply because the subject falls under the remit of a previous Council decision and based on a theoretical model, subject to political massage techniques.

For the purpose of this application, could the planning officers lay out clearly what exact transport mitigation measures are deemed necessary to avoid a severe impact from this development on the Island's transport network as a whole, their cost, their deliverability (including time scale) and the mitigation for the disruption projected to be caused by this mitigation?

Consultee approval and Mitigation Agreements

Often, consultees do not object to an application whilst stipulating caveats and conditions - usually trusting that an application complies with certain criteria, possibly a technical standard is to be attained or a binding legal agreement is expected to be achieved with a post development management company/body/charity. During DMCs, when broaching a subject within the remit of a certain consultee, councillors are often placated by technical advice that gives much weight to the fact that this or that particular consultee, covering this area, did not actually object. Yet this can really lead to a lack of transparency. The public do not know whether the consultee has had their conditions upheld, whether legal agreements have been arranged and it often takes quite a bit of digging from the Councillors to bring to light the fact that something isn't completely finalised - and if not, why is a consultee seen to approve the application?

An example of this within applications on this site is the long-debated need for an agreement with the RSPB for managing the onsite bird refuge. This appears to be a

caveat to the 'non-objection' from consultees in order to avoid a severe impact on Brent Geese that use this site.

At the last DMC on this site, there was much discussion around the fact that this agreement was not yet finalised yet not once was it put to the councillors that this legal agreement was needed for many consultees approval of the application.

How can consultees be seen not to object when their conditions for approval have not been met?

Decision-makers were continually told that no consultees had objected yet many consultees' approval was, and is still, clearly conditional on certain stipulated conditions being secured. Conditions such as multiple binding legal agreements for future management of bird refuges and surface water drainage, plus a multitude of other so far unsecured caveats such as a further offsite bird refuge north of the onsite refuge (F.K.A. E26), maintenance of drainage ditches, measures to reduce human disturbance of protected wild birds etc. (part of previous legally binding mitigation that was never enforced).

There looks to be more information regarding an agreement with the RSPB in this application however, what about the management of surface water drainage post development and its relation to the bird refuge?

This site contains many mitigation practices that require post development management, legal agreements and certainly major and disruptive highway reconfigurations.

Many consultees' approval of this application are subject to mitigation being carried out, some to be completed before development. Where is the evidence that all these separate mitigation projects are agreed and ready-to-go? I would ask that Councillors and the public are not continually told that all consultees have approved proposals until the conditions for their approval are met or at least some evidence of any agreements are presented, particularly for flood drainage. Not to mention the fact that the Langstone Harbour Board does actually object, as do 99.8% of all public comments and consultations concerning applications on this site.

The current applications for this site must be some of the most contentious proposals Councillors have had to decide upon in recent times and given the number of complex constraints and legal agreements attached to any application's approval, there is a real risk of an unsustainable development being permitted, with all the ecological and financial implications that will surely follow.