

Planning application for non-material change to reservoir southern embankment

Application reference: APP/23/00979

I do not believe that sufficient information has been provided by the applicant to determine if the proposed changes to the southern embankment of the Havant Thicket Reservoir and associated infrastructure changes are a non-material change when compared to the original hybrid planning application.

The Scheme Parameters set out in the Development Specification submitted with the original hybrid planning application allowed tolerances in designated outline areas of the embankment for the embankment toe (+/- 2m horizontal range) and crest line position (0 to 37m horizontal range to the north). What is now proposed is substantially different to that with the southern toe of the embankment moving north by up to 45m, south by up to 40m in the SW, with the embankment crest moved 45m north and now proposed to be 60m longer.

There is no indication that the potential impacts of these substantial changes have been assessed by subject specialists in relation to visual & historic environment impacts, ecology, noise, vibration and air pollution. The Technical Note supporting the application only refers to a 'qualitative review' having taken place to consider the implications, which was undertaken by an 'environmental consultant'.

Before determining the application, I believe that the Local Planning Authority (LPA) need to be provided with further more detailed information from subject specialists to advise on the potential impact of the proposed changes including;

- A visual impact assessment (see Appendix A).
- Historic environment impact assessment (see Appendix A).
- Ecological impact assessment, including impacts on the mitigation strategy.
- Noise, vibration and air pollution impact assessment.

Reassurance also needs to be provided by the applicant to the LPA to confirm that if the embankment changes were to be agreed as a non-material change this will not make the movement of the valve tower to an offshore location more likely.

More detailed comments and information on why this additional information is necessary for the LPA to evaluate the proposed changes and whether they are material is set out below.

Suggestions are also made for where additional mitigation could be provided to address any residual impacts of the changes.

1. Visual impacts

The visual impact of moving the southern embankment and whether the change is material / significant cannot be assessed without further information. The changes are substantive and go beyond the tolerances of change allowed for in the original hybrid planning application.

Scaling from Illustrative Plan 3 suggests that the gap between Round Wood and the embankment will be increased to between 20m (west end) and 37m (east end of Round Wood). Based on simple lines of sight it looks highly likely that Round Wood will now provide **less screening of the Control House Building** from observation points at Memory Park (Gammon Hill), residential properties at Well Meadow, and from the SCP woodland edge immediately west of The Avenue woodland peninsula. Insufficient information has been submitted to assess the visual impact of the change in embankment position and how significant it is to local views, especially in terms of visibility of the Control House.

The south-west toe of the embankment will move about 40m further south along the stream line, closer to the residential properties at Winterslow Drive. This means more of the valley will be infilled by the visible southern slope of the embankment. No information has been submitted to substantiate that this change is not visually significant.

At present the Statement of Conformity has been provided by an environmental consultant, not by an experienced specialist landscape architect based on a full and proper evaluation of the proposed changes. It would be reasonable to expect such a substantive change to be supported by cross-sections and photomontages before any meaningful comment could be made on the significance of the changes in terms of visual impact and whether the change is material to the visual impact assessment.

Appendix A shows the vantage points from which views could change as a result of the proposed alterations to the embankment and control house locations. The arrows indicate the views that I believe need to be reassessed. These include where views associated with the historic environment need to be reassessed, further information on this is provided in item 2 below.

2. Historic environment impact

The current assessment of impacts in the supporting Technical Note focuses on the nearest viewpoints, not taking into account views from vantage points further away, as a result the evaluation of impacts is not robust.

The Terrace is a key view point within the Grade II listed historic park and garden. If the southern embankment is moved north, further away from the SCP woodland edge then the top of the embankment is likely to be more visible from the Terrace viewpoint, and potentially from the path which links Middle Park Way to the Terrace. This impact has not been adequately assessed to determine that it is not material.

It was always known that from the top of The Avenue staircase and crest road it would be possible to view over the adjacent SCP woodland. This also meant that the embankment crest would be visible from The Terrace at SCP. However, because the embankment and crest were originally going to be very close to the woodland the impact was not considered significant on the historic view. If the embankment is moved north by a further 19m the visual impact could be greater, so this needs to be properly assessed by a competent specialist, it cannot be assumed that there will be no significant impact.

The trees at Round Wood are younger and not so tall. If the embankment and Control House are moved north and there is a bigger gap (up to 37m) between the smaller trees at Round Wood and the Control House there will be less screening of the Control House. A key thing to establish is will the Control House building be more visible from vantage points within the Grade II listed historic park and gardens (including from The Terrace and path approaching it), or from the designated historic Conservation Area? (the latter has a different boundary) The location of the southern embankment was **fixed** adjacent to the Staunton Country Park Grade II listed historic park and garden woodland at the time of the original reservoir planning application. This was to ensure that the impact on the historic environment was known, assessed and understood before the hybrid application was determined. This is the area between the two green dashed lines on Illustrative Plan 3, highlighted as a grey polygon in Appendix A. This part of the embankment was not in outline and was not expected to change. As a result **the impact of the change does need to be reassessed by a competent specialist to determine the significance of the change in embankment position on the designated historic site and conservation area.**

At present the Statement of Conformity has been provided by an environmental consultant, not by an experienced historic environment specialist, based on a full and proper evaluation of the proposed changes. **It would be reasonable to expect such a substantive change on the edge of a Grade II listed park and garden to be supported by cross-sections and photomontages (see Appendix A) before any meaningful comment could be made on the significance of the changes to the historic environment.**

3. Information to substantiate why the substantive changes are necessary?

At present the covering letter with the application for a non-material change indicates the design of the embankment has evolved “as a result of knowledge and experience gained from further intrusive investigations on site, the construction of the trial earth embankment, and from more detailed engineering design work”. No information has been provided to substantiate why such substantial changes to the embankment position are needed, which require changes beyond the original tolerances specifically built into the outline design.

The Scheme Parameters set out in the Development Specification submitted with the original hybrid planning application allowed tolerances in outline areas of the embankment for the embankment toe (+/- 2m horizontal range) and crest line position (0 to 37m horizontal range to the north). What is now proposed is substantially different to that with the southern toe of the embankment moving north by up to 45m, south by up to 40m in the SW, with the crest moved 45m north and 60m longer.

Given the substantial nature of the changes it would seem reasonable for the applicant to be asked by the LPA to provide more information as to what has been found at the site that is driving such substantive changes? Plus ask them, how likely is it that further changes may be required?

Noting that a large volume of site investigation was completed before the planning application was submitted, including construction of very large and deep excavations in critical areas of the embankment to allow man access to fully evaluate the strata and take samples.

4. Control House Building

No information has been provided with the application to confirm if there is any change to the slopes or extent to which the control house protrudes through the embankment? (horizontally or vertically). In an email dated 2/1/24 the planning officer confirmed that; “Future Water confirm that the control house is proposed to move northwards with the embankment, however, there are no changes to the slope of the embankment proposed in the NMA, nor to the extent that the control house protrudes from the embankment (horizontally or vertically). The control house also remains within the parameters set by the hybrid planning permission” (i.e. Max width of frontage 33m, max height 6m, total area 430m² excluding courtyard). This is reassuring.

If moving the control house and embankment 19m to the north results in the control house being more visible from more vantage points, but the LPA are minded to approve this as a non-material change, **is there an opportunity for the Local Planning Authority (LPA) to discuss with the applicant before any consent is granted whether the slope could be varied slightly around the control house to bury more of the control house structure and make it less visible**, especially given that the benefit of the woodland screening will be less if it is further away from Round Wood. This could provide mitigation screening to offset any residual impact of the proposed changes.

Note; It is not the engineered structure of the embankment that I am suggesting could be altered, it is the addition of soil/ landscape detail beyond/over the engineered part of the embankment now that the control house will be in a more exposed position.

5. Proposed culvert and valve tower changes

You will be aware that members of the community, councillors and stakeholders have expressed concern about the applicants stated intention to move the valve tower to an offshore position. Indeed the applicant withdrew the previous application for a non-material change because this element of the planned change was not seen as a non-material change.

A reassurance is needed that the changes to the embankment position proposed in the current non-material change application, will not then further drive the need for a subsequent application to move the valve tower to an offshore location. (i.e. To confirm that if these embankment changes were approved by the LPA that the positioning of the valve tower offshore would not be more likely, and that the valve tower can still be constructed within the embankment as is shown on Section C)

Note: As stated in my email to the Planning Officer dated 2/1/24 I cannot see how the application for the off-shore valve tower and bridge can be separated as is now proposed by the applicant. Any new offshore valve tower will require access for personnel and equipment, for both maintenance and routine operational tasks, the tower cannot function without that access. Therefore, it is essential that the means of access to an offshore tower is submitted along with any further new application as they are completely dependent upon one another and should not be dealt with separately.

Section C has changed from the equivalent Section C submitted with the original hybrid application. It now shows the culvert detail through the base of the embankment, but does not show the different level draw off pipes which were facilitated through the central valve tower in the embankment, as illustrated in previous drawings shown to stakeholders.

The applicant / LPA need to confirm that the culvert detail shown does not form a part of the current planning application for which consent is granted. (i.e it is only the location of the culvert below the embankment that is being fixed in this application).

If not, and the culvert detail does form part of the application for which consent is granted it does represent a significant change and more detail would need to be submitted to the LPA to substantiate that it is not a material change. For example, the location of pipework associated with the culvert will impact what infrastructure is visible during drawdown events at the reservoir.

6. Impact on trees and landscaping

It is worth noting that there was extensive site investigation around Round Wood and between Round Wood and The Avenue before the final trees were removed on the edge of these woodland blocks, begging the question; could more of those last ancient woodland trees that did remain standing for some time after the main woodland areas were felled have been retained / saved to help with screening? Particularly, as it is clear that the embankment is now to be located further away from both the remnant of Round Wood and the stub of The Avenue peninsula.

Now that the embankment will be located further north can some of the space gained north of Round Wood and The Avenue peninsula be used for tree planting to replace more of the ancient woodland lost, plus to help create a more graded and natural looking edge to the existing retained ancient woodland?

A graded woodland edge would have more benefit for wildlife.

Can this additional planting be required by the LPA as part of the determination for this planning application to mitigate any residual impact of the changes?

Can a requirement be made that the planting be completed as soon as possible and fenced off from the construction works, rather than be delayed to the end of the construction phase to enable trees to become established?

Is there any stockpiled ancient woodland soil left that can be put back in to these areas, from where it was previously removed, if new tree planting is to take place?

7. Loss of potential to create wet grassland/ BAP habitat

Some of the wet grassland in the SW valley on site was identified as priority habitat. Part of the original mitigation strategy for post construction was to create conditions suitable for that area of priority habitat to expand in the SW, south of the embankment along the

stream flood zone. The proposal to move the SW embankment approximately 40m further south along the stream line will reduce the potential for this priority habitat to be re-created and expanded.

While more open space/ parkland is created by moving the southern embankment north between Round Wood and The Avenue stub, this area is located on higher ground, further away from the stream, which has less potential to be developed into the wet priority habitat previously present.

As a result there is **need for the mitigation strategy which formed part of the original planning application to be reviewed by a competent specialist to consider the impact of the proposed embankment changes and assess what further mitigation will be necessary at the site and where.**

8. Noise, vibration and air pollution

The south-west toe of the embankment will move about 40m further south along the stream line, closer to the residential properties at Winterslow Drive. The area where the embankment will cross the stream is where the structure is tallest and requires the most earth movements. The information submitted confirms that the embankment will be 60m longer and require more earth movements to construct. This means that there is the potential for more significant impacts from noise and vibration to local residents, the open space at Memory Park, and to local wildlife (as it is closer to the retained ancient woodland at SCP). Plus, for these impacts to take place over a longer period of time in the SW, as the embankment will now be longer.

The Technical Note supporting the application indicated that for the original planning application assessment noise levels were not predicted to exceed the threshold for potential impacts for the 'majority' of the construction period. Presumably the circumstances under which it could be expected to exceed the thresholds would be when work is taking place closest to residential properties. **Given that the work to construct the embankment is now proposed to take place closer to sensitive receptors (dwellings, Memory Park & ancient woodland) it is reasonable to expect that a noise and vibration specialist would have been asked to reconsider the assessment and comment on whether the proposed changes may be significant in terms of potential noise and vibration.**

There is currently no indication that a noise and vibration specialist has reviewed the proposed changes, nor is there any reference to a revised assessment in relation to impacts of noise and vibration on wildlife using the ancient woodland.

The same concerns would apply to air pollution and dust arising from construction, again specialist advice needs to be provided on this.



7 January 2024

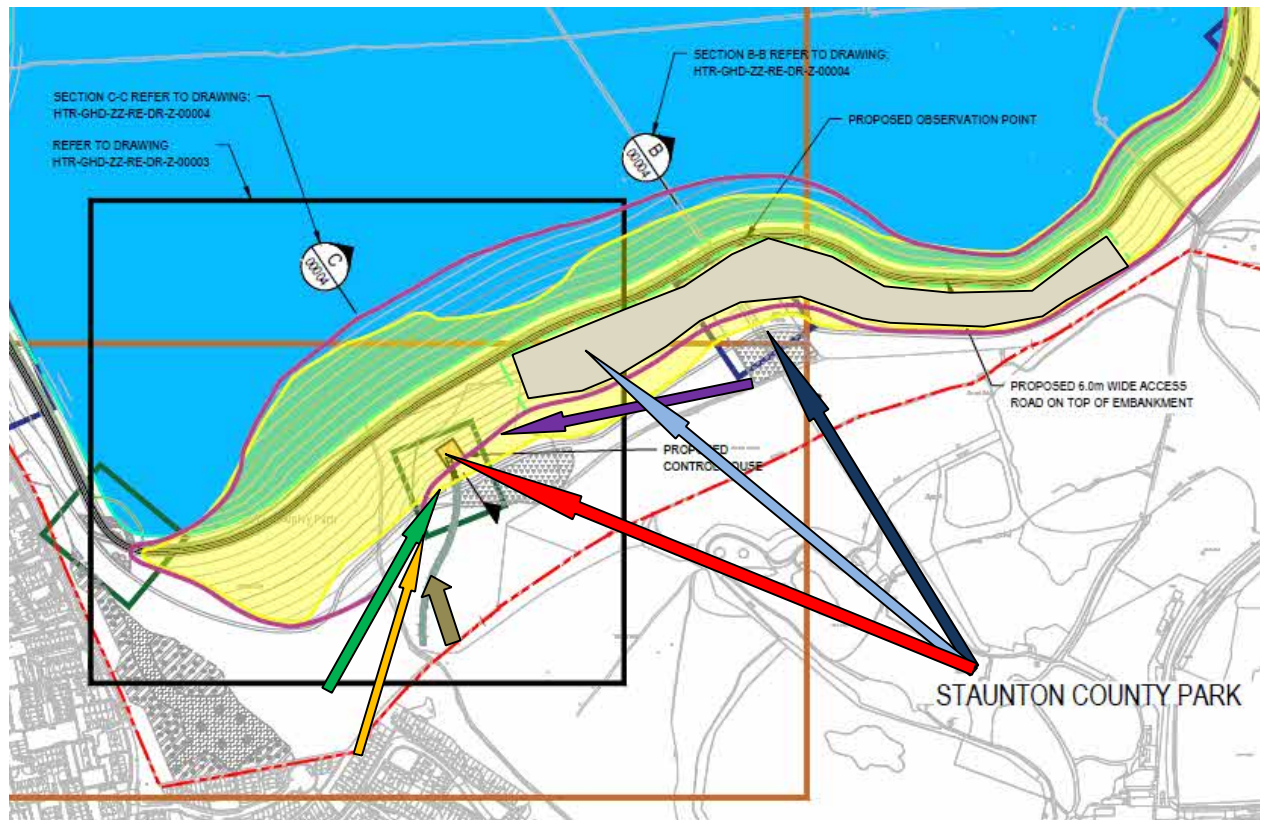
Appendix A

Plan with arrows showing the views that need to be more fully assessed to determine the significance of the proposed changes to the reservoir embankment

Views that need to be re-assessed in order to determine the significance of the proposed changes to the embankment before determining if this is a non-material change in terms of;

Significant visual effect (is the embankment crest or control house more visible from key vantage points as a result of the proposed changes?), or
Impact on the historic environment and setting of the Grade II Listed Historic Park & Gardens and the designated conservation area (is the embankment crest or control house more visible from the SCP Terrace or other vantage points within the areas with historic designations than it would have been under the original proposal?)

Extract of applicants Plan 3 with arrow annotations added for views that need to be assessed



Memory Park (from higher ground at Gammon Hill)

Well Meadow (from higher dwellings with windows overlooking the reservoir site)

SCP Terrace towards viewpoint and crest road at the top of the proposed staircase

SCP Terrace to crest road where the embankment has moved the most to the north
(half way between Control House & The Avenue)

SCP Terrace to Control House building and SW embankment crest

Gate view from west side of the remnant of The Avenue woodland peninsula

SCP parkland view as a walker emerges through the gate (incorporating view across to the closer SW toe and new position of the Control House)

Note 1: Having the embankment closer to the woodland helped to screen the embankment and infrastructure when viewed from these key viewpoints, enabling it to blend into the landscape, while being far enough away (minimum 25m) that the construction would not impact the ancient woodland.

Note 2: Section of the southern embankment which was not in outline and was supposed to be fixed at the time of the original planning application shown as grey polygon. Fixing the embankment here was considered necessary to control the impact on the designated historic sites.

