
Site Address:	Land south of Saltmarsh Lane, Hayling Island, PO11 0JT		
Proposal:	Outline application for erection of up to 60 dwelling units with access; associated landscape and highway works on land south of Saltmarsh Lane, and all other matters reserved.		
Application Type:	Outline Planning Permission		
Application No:	APP/21/01351	Expiry Date:	5 December 2025
Applicant:	Hayling Island Builders Ltd		
Agent:	BVA Planning	Case Officer:	Arleta Miszewska
Ward:	Hayling West		

Reason for Committee Consideration: Proposal raises important policy issues and is of significant public interest.

Development Manager Recommendation: **REFUSE PERMISSION**

Executive Summary

The application site is located to the south of dwellings in Saltmarsh Lane and the west of dwellings in West Lane. The site is a greenfield enclosed by trees and hedge planting.

In terms of planning policies, the site is located outside the urban area where policies prevent built development in principle. The site is also located within an area designated as a Secondary Support Area for Brent Geese and Wader feeding and roosting site.

Officers note that the single access road to Hayling Island, the A3023, is at risk of flooding, with significant increases expected in extent, depth and hazard in the future. In event of flooding, the access to and egress from Hayling Island will be significantly compromised. There are currently no strategic plans or funding for the provision of sea defences.

The proposal is for up to 60 dwellings, including policy compliant number of affordable houses. The application is in outline form with only access being considered. Further detail relevant to landscape, scale, design and appearance is reserved for a later submission of reserved matters

Both the Highway Authority and National Highways did not object to the application, subject to conditions and legal agreements predominantly securing highways improvements. The Council's Ecologist also did not raise objection in principle and appropriate bird mitigation land would be provided. As shown on the Illustrative Masterplan, the development could be accommodated within the site without demonstrable visual and landscape harm. Subject to detailed design, residential amenities of existing and prospective residents would be respected.

However, Officers have concerns over the lack of detail of a compensatory reptile habitat, whether on-site or off-site. Such details would be required to be secured at an outline stage. Further concerns relate to the absence of sufficient and correct information to determine the land required to provide adequate surface water measures on site to facilitate the development and not to increase flood risk outside the site. This leads to a concern over the remaining land available for the proposed dwellings and any associated infrastructure, such as gardens, car parking spaces, roads, as well as ecological buffers, including reptile habitats.

Finally, Officers cannot ignore the fact that the single access road to Hayling Island, the A3023, is at risk of tidal flooding. The Council's own Strategic Flood Risk Assessment (SFRA) states that:

“Tidal flood risk to the single access onto Hayling Island is significant. This would make voluntary movement of people on or off the island as well as emergency access by road at the time of a flood event impossible. The Council does not consider that this risk can be satisfactorily addressed by the development, or that the risk is outweighed by any notable sustainability benefits to the community, even when taking into account the contribution the site could make to meeting housing need.”

The SFRA further suggests that Havant Borough needs to be satisfied that proposals can be regarded as safe in the event that vehicular access to the mainland is not achievable. Officers cannot reasonably assume that access to the development would be safe in the event of flooding and the development itself, due to its scale, cannot be expected to provide the required mitigation. Therefore, Officers conclude that that application fails on the grounds of flood risk.

Drawing all considerations together, Officers recommend that the application is refused for reasons discussed in the report.

1.	<u>Site Description</u>
1.1	The application site comprises 2.51 hectares of an undeveloped arable land enclosed by trees and hedge planting. To the south and west of the site are areas of agricultural land. To the north and east are residential dwellings in Saltmarsh Lane and West Lane. A drainage ditch runs parallel to the southern boundary and north-south, across the centre of the site. There are four trees within the centre of the site covered with a Tree Preservation Order (TPO), and two TPO groups of trees on the southernmost boundary of the site.
1.2	The site benefits from an informal unmade vehicular access from Saltmarsh Lane, between dwellings at nos. 64 and 64a.
1.3	In terms of planning policy designations, the application site is located outside the urban boundary as defined by Policies CS17 and AL2. Policies CS11 and DM23 also define the land as an Uncertain Site for Brent Geese and/or Waders. The Solent Waders & Brent Goose Strategy (SWBGS) classifies the entire site H34D as a Candidate Site (Low Use).
1.3	The site lies in present day Flood Zone 1 (low risk). The National Flood Map for Planning indicates that in the future, with climate change taken into account, the entire site will be at risk. The Council's Strategic Flood Risk Assessment, which has been confirmed by Environment Agency to be the most accurate representation of future risk, also indicates that parts of the site will be in at risk. Therefore, tidal flood risk is a key consideration in determining this application and this is further discussed in the Assessment section of the report and Planning Balance.
1.4	In addition, both the Council's Strategic Flood Risk Assessment (SFRA) and the National Flood Map for Planning show that the single access road to Hayling Island, the A3023, is at risk of flooding, with significant increases expected in extent, depth and hazard in the future.
1.5	The Coastal Partner's Hayling Island Coastal Management Strategy (Option Development Unit, ODU16 which covers the area from Langstone Bridge Carpark to Langstone Bridge and includes the northern part of the A3023 access road onto the island) has identified that without defences in place the flood cell could merge with adjacent flood cells to the east and west during larger return period events.
1.6	The land is Grade 3 agricultural land meaning it has a low productivity.

1.7	The site is not located close to any designated heritage assets. There are no public rights of way crossing the site. The Hayling Billy Coastal Path runs parallel to the western boundary of the site.
2.	<u>Planning History</u>
2.1	There is no planning history for development proposals relevant to this site itself.
2.2	<i>Other planning history of relevance:</i> APP/13/00639 - Outline planning permission for mixed-use development comprising up to 59 dwellings and 1,250sqm of light-industrial accommodation (Use Class B1). Off-site highway works including widening of footpath. Approved. 9 October 2014
2.3	APP/15/00919 - Mixed use development comprising 76 residential units (4No. 1bed, 22No. 2 bed, 31No. 3bed; and 19No. 4 bed dwellings; and 1000sqm of light-industrial accommodation (use Class B1) with associated parking, access, landscaping and surface water drainage. Approved. 23 December 2015.
2.4	<i>Officer comment:</i> <i>These applications relate to the land to the south of the application site, a development known as the Oysters. As part of this proposal, the application site (south of Saltmarsh Lane) was returned into agricultural use. The proposal also included a removal of a hedge, appropriate cropping regime and a blocking of an access to stop dog walkers using the site.</i>
3	<u>Proposal</u>
3.1	Planning permission is sought for a development of up to 60 dwellings and a vehicular access from Saltmarsh Lane. The application is in an outline form and the only matter for consideration at this stage is the access to the site.
3.2	All other matters (i.e. scale, layout, appearance and landscaping) are to be determined through reserved matters application(s). Therefore, the following features of the proposed development, whilst addressed in the current submission, would be subject of any forthcoming reserved matters application(s).
3.3	The indicative masterplan indicates that the proposed vehicular and pedestrian access into the site would lead from Saltmarsh Lane, south into the centre of the site and turning both west and east. A pedestrian and cycle access would be provided onto the Hayling Billy Coastal Path to the west. Within the central part of the site, the plan indicates an open area of land incorporating an attenuation basin and an equipped play area. Dwellings would be arranged predominantly into a linear development within the eastern and western parts of the site. A pumping station is indicated to be located in the southernmost part of the site. Additional planting is also indicated on the edges of the site.
3.4	The submission clarifies that the proposal could include a mixture of 42 market and 18 social houses (which would equal 30% affordable housing provision), including 2, 3 and 4 bedroom dwellings (52) and flats (8) served by a total of 70 car parking spaces.
3.5	The Planning Statement states that the units would be houses that could vary between 2 and 2.5 storeys in height, with the lower up to 2 storey buildings abutting the existing dwellings in Saltmarsh Lane and West Lane. The external appearance would likely be traditional to reflect the established local character.

3.6	In order to provide the proposed access onto the site, the development would result in a loss of one Category 3 tree. The final proposal would also need to meet the statutory requirements for Biodiversity Net Gain.
3.7	The development would result in a loss of Grade 3 agricultural land, however, the loss would be limited and a Grade 3 classification confirms low productivity.
4.	<u>Policy Considerations</u>
4.1	The Development Plan for Havant Borough consists of the Havant Borough Local Plan (Core Strategy), the Havant Borough Local Plan (Allocations Plan) and the Hampshire Minerals and Waste Plan.
4.2	The following policies are particularly pertinent to the determination of this application: <u>National Planning Policy Framework</u> <u>Havant Borough Local Plan (Core Strategy) March 2011</u> 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) CS16 (High Quality Design) CS17 (Concentration and Distribution of Development within the Urban Areas) CS19 (Effective Provision of Infrastructure) CS20 (Transport and Access Strategy) 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) <u>Havant Borough Local Plan (Allocations) July 2014</u> AL1 (Presumption in Favour of Sustainable Development) AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements) Policy DM23 Sites for Brent Geese and Waders Policy DM24 Recreational Disturbance to Special Protected Areas (SPAs) from <u>Supplementary Planning Documents</u> Borough Design Guide SPD (Adopted Dec 2011) Housing SPD (Adopted July 2011) Residential Parking and Cycle Provision SPD (Adopted July 2016, partially updated September 2019) HBC Biodiversity Strategy (January 2019)
4.3	Listed Building Grade: Not applicable.
4.4	Conservation Area: Not applicable.

Statutory and Non Statutory Consultations

Coastal Partners

Initial response - a holding objection; further information required; a revised Flood Risk Assessment required.

Interim response – maintain holding objection; insufficient information to adequately assess whether the development will be safe from coastal flood risk over the duration of its lifetime; the applicant should not rely on any potential future flood defence scheme delivery.

Interim response – objects; a lack of consideration of appropriate climate change allowances; a design life of 50 years has been assumed, a lifetime of 100 years should be assumed for residential development; revised FRA sets out a hierarchical approach to future flooding without confirm which solutions are proposed; in July 2025 the Environment Agency approved Coastal Partner's Hayling Island Coastal Management Strategy, following approval by Havant Borough Council. This strategy reviews in detail the flood and erosion risk to the whole of the island's coastline, the condition of the existing defences and the changes that are expected as a result of climate change. The Strategy identifies that without defences in place, safe access and egress on to and off the island would be severely compromised. The strategic intent for this area is to protect and maintain the viability of the A3023 into the future, as critical road infrastructure on the island, with the preferred option being to construct new defences which keep pace with sea level rise. At the present time, no funding has been identified to progress any defence works to protect the A3023 south of the bridge. We advise that the LPA should formally consider the emergency planning and rescue implications of new development in making their decision in light of the issues highlighted by the Hayling Island Coastal Management Strategy.

Final response – following the submission of revised Flood Risk Assessment withdraw the earlier holding objection, recommend conditions (up to date FRA to be submitted with reserved matters application; requirements for floor levels and all occupants to sign up to the Environment Agency's Flood Warning Service).

Community Infrastructure Levy Team

Initial response – sets out applicable CIL, contributions, obligations and associated fees.

Final response – development not CIL liable, any future reserved matters applications would be CIL liable; sets potential applicable obligations.

Ecology

Initial response – further information required; the application is accompanied by an Ecological Impact Assessment (Tyler Grange, October 2021); the site comprises an area of arable-dominated land with associated semi-improved grassland, hedgerows, trees, scrub and ditches; on-site habitats are of relatively low ecological value; the site is included in the current Solent Waders & Brent Goose Strategy (SWBGS) as Site H34D and the proposal would result in the total loss of Site H34D. In order for this loss to be judged acceptable, an appropriate mitigation/compensation package will be required; construction-phase activities will impact the permanent bird refuge off Sinah Lane, and that once operational any increase in recreational pressure will also impact the refuge, it is the responsibility of the applicant to identify and provide details of a suitable off-site compensatory habitat; further detail is required on the extent to which the proposed layout will incorporate existing vegetation and also areas of new/enhanced semi-natural habitat; surveys have highlighted the presence of several bat species within the site, mainly Pipistrelle species; no evidence of roosting on site; sufficient bat survey information is presented; a suitable bat lighting strategy and ecological enhancements to be conditioned; a suitable alternative compensatory reptile habitat required.

Interim response - the application is accompanied by an Ecological Impact Assessment (Tyler Grange, October 2021) and a Brent Goose and Wader Mitigation Strategy (Tyler Grange, April 2025); on-site habitats are of relatively low ecological value; proposal (as far as it is detailed)

allows for the retention of boundary vegetation, with mature trees and hedgerows retained and an area of SuDS and apparent semi-natural habitat in the northern central section of the site; further detail on the extent to which the proposed layout will incorporate existing vegetation and also areas of new/enhanced semi-natural habitat; requests information on whether ecological assessments for habitats and species have been updated since 2021; surveys have been carried out for roosting bats, bat activity, Great Crested Newt, Badgers and wintering birds; several bat species are present within the site, mainly Pipistrelle species; no evidence of roosting on site; sufficient bat survey information is presented; a suitable bat lighting strategy and ecological enhancements to be conditioned; the site supports a population of Slow-worms; the development will remove the vast majority of reptile habitat and therefore a suitable alternative compensatory habitat is required; further detail on how reptile populations can be accommodated within the built site is required; the site is included in the current Solent Waders & Brent Goose Strategy (SWBGS) as Site H34D and the proposal would result in the total loss of Site H34D, in order for this loss to be judged acceptable, an appropriate mitigation/compensation package is required, the principle of utilising compensatory land at Mill Rythe as mitigation remains agreed in principle, the strategy entails the cessation of certain land use activities at the Mill Rythe site, alongside some enhancements, the proposed management changes - cessation of dog walking activities, better grassland management, boundary strengthening is considered to be achievable mitigation and enhancement measures, and would provide habitat attractive to Brent Geese in particular, in an area where they have traditionally occurred in significant numbers, details of a phased delivery are required, details of maintenance and management are required.

Final response – no objection subject to conditions (a Landscape and Ecological Management Plan; a Construction Environment Management Plan); updated information was submitted: Ecological Impact Assessment (Tyler Grange, July 2025), Habitats Regulations Assessment (Tyler Grange, July 2025) and Brent Goose and Wader Mitigation Strategy (Tyler Grange, April 2025) which contain updated assessments of the site's ecological features and value, including from additional field surveys conducted in 2025, notably for bats; the site conditions have remained consistent throughout the various years of assessment and the potential ecological constraints are well understood; the site is not of exceptional ecological importance and contains a typical range of generally species-poor habitats found on farmland on Hayling Island; the key features are the various ditches as well as boundary hedgerows and trees which support populations of protected and notable species, most notably common reptile species. It is worth clarifying the status of the Solent Waders & Brent Goose Strategy (SWBGS) site H34D which encompasses the whole application site. In the current iteration of the SWBGS the site is classified as a Candidate Site (Low Use) and this classification seems justified. Winter bird surveys conducted by the applicant between 2011 and 2021 recorded no other SPA bird species within H34D. The submitted Brent Goose and Wader Mitigation Strategy (Tyler Grange, April 2025) is essentially unchanged from that previously discussed; the principle of utilising land at Mill Rythe as mitigation remains agreed in principle, and the strategy provides further details on what, in practice, is proposed in order to ensure the Mill Rythe land provides a functional off-site habitat for bird species; I am confident that the proposed mitigation/enhancement measures would provide habitat attractive to Brent Geese in particular, in an area where they have traditionally occurred in significant numbers. The principle of providing permanent habitat in key locations (as opposed to intermittently available habitat) is a central thread of the SWBGS. The current activities on the Site H50C are detailed, as are other factors that may render the site unattractive to wintering birds.

Economic Development - no response received.

Environment Agency

No comments, outside our remit.

Environmental health –

No objection subject to conditions (CEMP, acoustic assessment for heat pumps; external lighting, indoor noise levels)

HCC Archaeology

Initial response – no objection, subject to conditions (implementation of a programme of archaeological evaluation; a programme of archaeological mitigation of impact; a post-excavation assessment, specialist analysis and reports, publication and public engagement).

Final response – previous comments remain.

HCC Highways

Initial response – further information required before recommendation can be made (applicant should explore the scope to widen the footway on the northern side of Saltmarsh Lane; tactile paving and pedestrian visibility splays should be provided in number of locations; the gap in the wayfinding provision directing pedestrians to West Lane should be provided for; the scope to extend the footway from Brights Lane to 78 West Lane should be explored – the width of the available verge is required to understand whether this would be a suitable proposal; visibility splays should be provided for the proposed refuge island along the A3023; drawing should be provided showing proposed refuge island scheme to ensure it can be deliverable and that the location can be properly tracked; width of the footways on Manor Road north of the Brights Lane junction should be confirmed; width is required of the Denhill Close connection onto the Hayling Billy Trail; a narrative as to why a direct connection from the site onto the Hayling Billy Trail is no longer being explored; the scope to widen the Hayling Billy Trail adjacent to the site should be explored; WCHAR should be provided in accordance with HCC TG19 to all local facilities listed within the TA, Mill Rythe Infant and Junior Schools and The Hayling College; an appropriate traffic calming scheme to reduce vehicle speeds travelling along the southern stretch of West Lane should be designed; speed surveys are required to justify the visibility splay for the proposed site access on Saltmarsh Lane; visibility splays for property 64 Saltmarsh Lane should include the boundary fence on the plan to assess the impact the existing fence will have on visibility; RSA1 required for the site access design; clarification as to how distribution figures have been generated and survey data required; further discussions with the applicant regarding the cumulative impact of the development at the Manor Road roundabout and the A27 Langstone roundabout; modelling should be undertaken for a 10-year forecast period from year of opening, in order to compare the Paramics conclusions using all current significant applications on Hayling Island as committed developments; junction modelling required at the site access and the Saltmarsh Lane/West Lane junction - depending on the outcome of the junction modelling, modelling at further junctions might be required; a travel plan should be submitted.

Interim response – further information required before recommendation can be made (direct connection through the site boundary to the Hayling Billy Trail should be provided at the outline stage and not the reserved matters stages – drawings should be submitted regarding this connection; the width of the proposed footway along the Eastern side of West Lane should be confirmed; no narrative has been provided regarding wayfinding on the walking route to West Town and this should be considered; tactile paving should be provided at Glebe Close; refuge island should be considered at the proposed crossing location along Manor Road with supporting drawings; localised footway widening would be beneficial if there is scope to do so to improve the alignment of the tactile crossing facility at Saltmarsh Lane/West Lane junction; tree species that obstructs the visibility splay at the proposed site access should be confirmed to ensure any future growth does not impact visibility; drawing of a proposed traffic management scheme along West Lane to be submitted which should include a gateway feature and 30mph speed limit extension; turning counts should be provided to aid the assumptions of

which route residents are likely to utilise when routing north; strategic modelling of Hayling Island; amendments to the travel plan).

Final response – no objection subject to conditions (details of the connection points to the Hayling Billy; a construction method statement) and legal agreement (delivery of site access works subject to approval and delivery via a Section 278 legal agreement; implementation of highways works subject to approval and delivery via a Section 278 legal agreement; a transport contribution is made towards delivery of West Lane Traffic Calming Measure; a transport contribution towards delivery of potential pedestrian crossing facilities on the A3023 adjacent Brights Lane; the travel plan, along with associated fees and surety payment; a transport contribution to deliver onward connection outside the site boundary to the existing Hayling Billy pedestrian and cycle provision; a transport contribution towards the cumulative harm of the development to mitigate its impact on the A3023 with the monies secured towards a delivery of the Hayling Billy Improvement Study Work, measures at Langstone Roundabout to reduce delay, other measures along the A3023 corridor which seek to reduce car dependence and manage journey time reliability along the corridor); subject to mitigation, sustainable access acceptable; junction visibility splays acceptable; applicant to provide financial contribution towards traffic calming measures on West Lane; travel plan acceptable; traffic distribution agreed; subject to mitigation,

To assess the cumulative traffic impact of the 4 developments (Rook Farm, Oysters, Saltmarsh and Fathoms Reach sites), a microsimulation model update was commissioned by the applicants utilising the Hayling Island Paramics model, originally developed for the 2019 Hayling Island Transport Assessment. This model was previously used to support the withdrawn Havant Local Plan and has since been updated with more recent traffic data and account of the summer peak period. The updated neutral month Paramics base model remained fit for purpose, with the summer model prioritised to capture peak seasonal conditions. HCC also recommended that the microsimulation modelling be supplemented with standalone junction capacity assessments at key locations, including A3023 Havant Road/Church Road (Mill Rythe Roundabout), A3023 Langstone Road/Northney Lane, A27/Langstone Road/Park Road South (Langstone Roundabout) and site-specific junctions such as St Mary's Road/Church Road/Tournerbury Lane for Rook Farm.

Following a review of the presented outputs, the local highway authority notes that overall the traffic modelling for this proposed development does not indicate a severe impact in terms of overall network performance, however there are material impacts when considered cumulatively under future scenarios, particularly Scenario 4 and the Scenario 4 Sensitivity Test. This includes increased journey times during peak periods and summer months on the A3023 Havant Road and material impact at the A27 Langstone Roundabout, principally on the Park Road approach and the circulatory. The Highway Authority considers these significant and therefore trigger the requirement for mitigation.

The cumulative harm of the developments also adds further strain and delay to sections of the A3023 Havant Road, at particular key junctions. Mitigation is required and the principles of measures that reduce journey time delay by promoting and enabling active travel provides an appropriate position for the mitigation of these future development on Hayling Island. Key priorities are improvements to Langstone Roundabout and the Hayling Billy improvement scheme, which aligns with the principles of sustainable transport and network resilience. Financial contributions towards these schemes will support modal shift, reduce car dependency, improve connectivity and network resilience.

On this basis and to address the identified cumulative impacts, a financial contribution will be required from the applicant towards the delivery of reasonable and necessary transport improvements based on a similar approach to the contribution secured at Sinah Lane (APP/18/00724). **HCC Lead Local Flood Authority**

Initial response – information submitted has not fully satisfied the LLFA and does not assure us that surface water and local flood risk have been adequately taken into account. Nevertheless, considering that this is an outline planning application with approval sought of the site access, and bearing in mind that there is a potential for the applicant to discharge surface water into the local watercourse or adjacent sewer, at this stage the LLFA has no objection to the proposals subject to conditions (a detailed surface water drainage scheme; condition of existing watercourse/sewer, should be investigated and any reparation, remediation, restitution and replacement works undertaken; details of long-term maintenance arrangements for the surface water drainage system)

Interim response - the revised flood risk assessment considers new climate change data and flood data from the Environment Agency, who should be consulted to assess whether the data has been interpreted correctly for this site; the principles of the drainage strategy remain the same, therefore the previous comments from the LLFA remain relevant and the same conditions should be applied if the application is to be approved.

Interim response - revised flood risk assessment includes updated flood risk mapping following publication of the EA NaFRA2 data earlier this year however the areas of identified surface water flood risk has changed, and the assessment within the FRA has been updated, the conclusion of the report remain unchanged; the 1 in 100 year medium risk surface water flood has not been sufficiently considered; concern over location of surface water attenuation features; proposed discharge rate for the site not acceptable; drainage design not in accordance with best practice or the National Standard for SuDS ; the LLFA encourages a catchment based approach to drainage design in which all areas that are likely to contribute to the flow in the drainage network are considered; runoff from permeable areas including gardens, shared green spaces and SuDS features should also be considered; hydraulic calculations are not representative of the current design; allowance for climate change not applied to the 1 in 30 year event in the simulation settings within the hydraulic calculations; allowance for urban creep reduced from 10% (as previously proposed) to 5% without justification; simulation results indicated flooding resulting from the 1 in 100 year design event, it is unclear whether this flood volume could be managed within the site without risk of flood to property or whether the attenuation basin is adequately sized; the LLFA does not agree the site layout and the scale of the development until further assessment on the surface water flood risk and surface water drainage design is concluded.

Final response – the submitted information did not address our concerns, our previous comments remain.

HCC Local Education Authority

The development site is served by Mill Rythe Infant School, Mill Rythe Junior School and The Hayling College. Mill Rythe Infant School is forecast to have capacity; Mill Rythe Junior School is forecast to have capacity; the Hayling College is forecast to have capacity therefore no contributions would be required towards Primary or Secondary education provision.

Housing

Initial response – further information required; a minimum of 18 units would be required; supports the principle of this development pending confirmation of the affordable housing mix, the location within the site of the affordable units, and the exact internal floor area of each apartment/house type; as they are proposing 42 market dwellings, including 8no 4-bedroom homes, I would like to see at least one of these larger homes included within their affordable provision; final tenure split to be 70% / 30% in favour of rented units, either Affordable Rent or Social Rent, with the remainder of the new affordable homes offered as Shared Ownership; 2-bed apartments would need to be at least 70sqm in size and therefore at the very upper level of the indicative sizes stated.

Final response – no response received.

Landscape

Initial response - in order to help retain the character of the Hayling Billy trail we would require a significant landscape buffer on the west of the site abutting the PROW, this should consist of UK native species which are appropriate to this location; a robust soft landscaping scheme which enhances the boundary screening to the south of the site will help mitigate the visual impact of the development; TPO trees on site must be retained to preserve the important trees; HBC design guides must be adhered to in relation to the natural surveillance of the open space and the back to back distancing.

Final response – no response received.

Langstone Harbour Office

Initial response – objects on the basis of 1 of the open areas around the Harbour as an important part of the Harbour's landscape and nature conservation value, should be retained and managed for these purposes; the proposed development site is of local ecological importance to bat species (dominated by common and soprano pipistrelle), with soprano pipistrelle noted as a species of principal importance in the UK's Biodiversity Action Plan; should application be approved then recommends conditions (bats sensitive lighting during construction; the western and southern site boundary vegetation to be retained to ensure commuting corridors for bats are available); the loss of arable land has the potential to reduce the available resource of suitable habitat for foraging and resting Brent Geese, which could have a significant effect on a regional scale.

Final response – no response received.

Communities Manager (Leisure)

Initial response contribution towards Community Worker required (£265 per dwelling)

Final response – no response received.

National Highways

A series of initial responses recommending that the application should not be approved for a period of 56 days from the date of the recommendation until such time as we have resolved the outstanding matters.

Final response – no objection; National Highways was consulted on this application throughout 2022 and into 2023; following discussions with Havant Borough Council (HBC) and Hampshire Highways (HCC) throughout 2024, we requested information from the applicant regarding the traffic impact at the A27 Langstone Interchange alongside the identification of potential impacts on the local road network; in addition, HCC requested that a peak summer month scenario be included in any modelling assessment; following a review of the scoping exercise and other information we were content with the Paramics base model and its use for forecasting, despite some identified limitations (e.g., MOVA not simulated at A27/Langstone Rd.), strategic model runs (using Paramics) were undertaken to assess the impact of the four Hayling Island Applications cumulatively on both the Staregic Road Network (SRN) and local road network (LRN); Linsig models were also provided of the Langstone Interchange for NH's review, these used flows extracted from the strategic modelling; we have reviewed both the Paramics and Linsig files and we are satisfied that the presented models demonstrate there will be no adverse impacts on the SRN or on the LRN that could impact on the safe and efficient operation of the SRN.

Natural England –

Initial response – further information required: a comprehensive mitigation package to address loss of Solent Wader and Brent Goose Strategy (SWBG) H34D Low Use site and the loss of the previously secured mitigation measures on H34D and H34C for The Oysters development, and details of how the mitigation will be secured for the lifetime of the development; an assessment of indirect and in-combination impacts to H34E and details of further mitigation measures where impacts are identified.

Final response - further information in order to determine the significance of impacts on designated sites and the scope for mitigation (A Habitats Regulations Assessment; a Management and Monitoring Plan for the proposed overwintering bird mitigation strategy)

NHS South Eastern Hampshire Clinical Commissioning Group/ NHS Hampshire and Isle of Wight Integrated Care Board (ICB)

Initial response - South Eastern Hampshire CCG will be looking for a contribution of £9,600 of planning gain for health; South Eastern Hampshire CCG identifies multiple practices (Waterside Medical Practice and The Elms Practice) could be impacted by this development in our CCG area as all the following practice boundaries cover this area; however, it is likely that Waterside Medical Practice will be the preferred practice for new patient registrations due to their close proximity to the development; we request that funding be made available from developer contributions to enable those practices impacted, to make suitable building adaptations to facilitate this growth.

Final response - a contribution of £41,281 towards increasing primary care infrastructure is necessary to make the application acceptable in planning terms; it is envisaged that the residents of the proposed development will register as patients with the Elms Practice and the Waterside Medical Practice; the current combined medical centres providing primary care have insufficient capacity and will not be able to absorb the increased patients arising from the proposed development; the Elms and Waterside Practices are currently oversubscribed and have recently taken on an additional 51.68m² of space within the health centre; there are further short-term options being considered to refurbish space into more fit for purpose facilities, which will help to accommodate anticipated population growth; medium term options would be to expand the health centre footprint into the car park; long terms options would be to relocate to a new site and new building; to account for other proposals that may come forward to increase primary care infrastructure in the affected geography, the contribution should be ringfenced for a future expansion project(s) relating to the practices and their PCNs, which can be drawn down once projects are viable, deliverable, and affordable to the practices.

Nutrient Team

A nutrient budget based on the 2022 Natural England methodology and guidance required; this should be supported by the Council's occupancy calculator.

Planning Policy

Initial response– 'in principle' policy objection; the site is located outside of the urban area/settlement boundary, and there would be no exceptional circumstances here which would apply; the site is at risk of flooding in the future and known concerns about highways impacts of development on Hayling Island; however, the Housing Supply Position Statement sets out the circumstances under which development may nevertheless be supported. As it stands, it is suggested that further work by the applicant is required to demonstrate that the development represents sustainable development that warrants a departure from the development plan, even in the face of the Council's 5 year supply position, it is suggested that in the face of the significant policy hurdles to the approval of development on this site, a better approach would be for the applicant to promote the site, together with the neighbouring site north of the Oysters, through the next local plan. This would allow comprehensive approach to all the issues facing

these sites, and proper consideration of the potential role this land might have in the development strategy for the borough and in meeting housing need; if the applicant wishes to persist with this application, and if all the matters above can be addressed and it is found that the proposal can provide sustainable development without causing adverse impacts that would significantly and demonstrably outweigh the benefits, permission should be granted. In that case, in accordance with Decision Making Principle 4, it is recommended that a condition should be attached requiring a shorter than standard timeframe for the submission of a valid reserved matters application. This is in order to ensure that the planning permission makes a contribution to the five year supply.

Officers' response - the Housing Supply Position Statement has been withdrawn since the initial response was received and is therefore no longer material to the determination of this application.

Interim response (flood risk only) – sequential test required.

Interim comments (flood risk only) - as set out previously, in determining that the site 'lies in Flood Zone 1' the applicant has not considered future flood risk, which is a requirement under national policy and guidance. Further, any mitigation (such as raised floor levels) is relevant to the consideration of the safety of the site, but cannot be conflated with the sequential test requirement. In light of the continued lack of a sequential test, the policy objection remains.

Interim comments (flood risk only) -the sequential test has not been passed, and as such, the proposal cannot be fully supported in policy terms based on Policy CS15 of the Local Plan, and national policy and guidance on flood risk. Nevertheless, taking into account recent case law, the Council accepts that failure to pass the sequential test is not per se a sufficient reason for refusal. Whether the proposal is considered acceptable overall, then, may and should also take into account other planning considerations (the contribution the proposal would make to housing supply, given the Council's acknowledged 5 year Housing Land Supply Position; in terms of flood risk, whether the development, overall, is considered safe for its lifetime without increasing risk elsewhere, taking into account on and off site measures set out in the site specific Flood Risk Assessment. In the absence of commentary from the Environment Agency, the views of the Coastal Team will be critical in this regard).

Final comments – comments on the Emerging Development Plan and updated Evidence Base; site outside urban area; provides update on 5 year housing land supply; flood risk on site; Sequential test provided, failure of Sequential test needs to be considered in Planning Balance; lack of exception test; FRA submitted;; impact on Brent Geese and Waders needs to be considered.

Off-site risk: both the Council's Strategic Flood Risk Assessment (SFRA) and the National Flood Map for Planning show that the single access road to Hayling Island, the A3023, is at risk of flooding, with significant increases expected in extent, depth and hazard in the future (see Part 4 – Havant Report, paragraphs 3.2.20- 3.2.24, and Appendix B maps). The SFRA (Part 4 – Havant Report, paragraph 6.11.8) recommends that this information should be taken into account in considering the suitability of further development on Hayling Island, with respect to tidal flood risk. It suggests that Havant Borough needs to be satisfied that proposals can be regarded as safe in the event that vehicular access to the mainland is not achievable. While a Flood and Coastal Erosion Risk Management Strategy for Hayling Island has been developed by the Council's Coastal Partners and has been approved by the Environment Agency, it must be noted that funding for the schemes within it, which may mitigate the risk discussed above, has yet to be identified.

Paragraphs 163 and 164 of the NPPF are clear that the need to mitigate and adapt to climate change should be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts. New development should be

planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change, and when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures. Under these circumstances, the strategy for the emerging Local Plan is to make no development allocations on Hayling Island. While that plan and the strategy within it hold limited weight in the determination of planning applications at this time and therefore should not be relied upon in the determination of this application, it is considered that the evidence and the recommendations within the evidence base, including the SFRA, are a material consideration. There is no information within the applicant's submission, nor evidence that the Council holds, which indicates that the risks identified by the SFRA have been considered or mitigated, and it is considered unlikely that this scheme in isolation could address those risks.

Portsmouth Water

No adverse comments to make from a groundwater quality protection perspective.

Southern Water

Initial response – no objection subject to condition (phased occupation) and informative (details of the proposed means of foul sewerage and surface water disposal); additional flows may lead to an increased risk of foul flooding from the sewer network, any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water; Southern Water can facilitate surface water runoff disposal.

Final response - there is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.54 l/s for the above development at manhole reference SU71001201. Please note that no surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water, after the hierarchy Part H3 of Building Regulations has been complied with.

Trees Officer

Initial response - no objection subject to conditions (arboricultural method statement and tree protection plan).

Final response – no response received.

Traffic Team

The proposed parking allocation for this development falls short of that of the HBC parking supplementary planning document 2016; £5000 (plus the costs associated with advertising the proposals and any works) estimated to be a maximum of £7000 in total, to be provided by the developer to be set aside from commencement to allow a TRO to be processed ending 5 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the local highway network.

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: 39 (initial consultation: 22 March 2022); 141 (second consultation: 17 September 2025)

Number of site notices: 4

Statutory advertisement: 25 March 2022

As a result of two rounds of public consultation and during the course of the application, 209 objections have been received. Members should note that some residents commented more than once, and some households provided multiple representations.

In addition, two petitions have been received including 133 and 23 signatures.

Matters raised are as follows:

First notification:

Principle of development

- Loss of agricultural land, loss of countryside, greenfield development
- Greenfield development against government advice

Access and highways

- Insufficient car parking provision
- Proposed access is inadequate for the number of dwellings proposed
- Poor state of repair of existing access roads, traffic speeds at these roads are above the speed limit, unsuitable for cyclists or pedestrians, dangerous
- Access roads are difficult to drive through due to parked cars narrowing the available space
- Inadequate pedestrian infrastructure, including access to schools
- Congestion in Havant is caused by vehicles travelling to Hayling Island
- Traffic surveys were conducted during lockdown
- Cumulative impacts with other proposed developments
- Will create extra traffic accessing the Hayling Billy Trail
- Bus service on Hayling Island is inefficient in terms of cost and time
- Access roads inadequate for construction traffic
- Access road has no capacity to take any additional traffic
- Cars parked in Saltmarsh Lane prevent access for emergency vehicles and obstruct visibility
- Proposed access road onto the site is not wide enough to accommodate the number of cars associated with the proposed development and larger vehicles
- The bridge is over capacity, needs repair
- Insufficient car parking provision will lead to neighbour disputes and cars being parked inappropriately

- Junction with West Lane is dangerous
- Increased traffic numbers will increase risk of collision/accident
- Car emissions will not help to achieve zero carbon status
- Additional traffic movement will affect the local junctions
- Existing access roads already suffer from congestion and delays
- Will result in more collisions, increased risk of accident and fatal injury
- Cycling, pedestrian and horse-riding routes are inadequate
- Only one road in and one road out
- Additional traffic will affect emergency vehicles
- Additional traffic will cause air pollution
- Hayling Billy is too busy with other users and its condition makes it inadequate for commuters, it is unlit which makes cycling in the dark unsafe
- Transport modelling suggesting 93.6% of cars would turn north into Brights Lane is incorrect
- Access roads flood
- Access for construction traffic will be extremely problematic and hazardous
- Inaccurate information provided in submitted documents, including Travel Plan

Design and landscape

- Change of character from open field to urban
- The development will be clearly visible from Hayling Billy
- More than 2 storey buildings would be out of keeping with surroundings
- Unacceptable density of housing
- Will ruin the landscape
- 2.5 storey heights are out of keeping with the area where houses are mainly one or 1.5 storey high

Flooding and drainage

- Southern Water already does not have capacity to process existing level of sewage
- Hayling island is part of the Chichester Harbour Area of Outstanding Natural Beauty and a Site of Significant Scientific Interest and should be protected
- Will increase risk of flooding
- No proposals for sea defences, area will flood in the future
- The fields flood already
- Gardens in Saltmarsh Lane flood already

- Water and waste pipes have not been updated to allow for the increase in use

Residential amenity

- Light pollution from new dwellings at night
- Loss of security due to new footpaths behind existing dwellings
- No boundary treatment to prevent loss of privacy
- Large construction vehicles will struggle navigating through the narrow lanes
- Loss of privacy in rear garden and rooms in the house
- The play area will become a point for late night gatherings by youths creating noise and feeling of unease for residents
- Impact on health and wellbeing of existing residents
- Visual impact, loss of visual amenity of existing residents and users of the Hayling Billy
- Noise and air pollution during construction
- Construction phase will affect elderly community
- Noise and disruption will destroy my way of life and mental health both during and after the build
- Compromised security to the rear of our property and to that of others who would border proposed general public areas
- Impact on aging population in the island which has different needs and ways of life
- Diminishing quality of life on the island
- Invasion of my security, privacy and light/sunlight
- Increased land levels will increase flooding in other areas and will affect privacy
- Noise from additional properties
- Proposed dwellings too close to existing dwellings, would cause overlooking
- Impact on privacy, security, light/sunlight
- Will dwarf and overshadow existing bungalows
- Loss of view of open space
- Crime will get worse and there are no police stationed on the island
- Heights of buildings will have negative impact on the character of the existing dwellings
- Loss of skyline view and natural light
- More cars will be parked on surrounding roads blocking access to properties
- Pumping station too close to my property

- Unacceptable layout of housing, too little distance between proposed and existing dwellings
- Will cause psychological distress, due to ongoing disruption, noise, heavy traffic, smells.

Ecology

- When the Oyster development was permitted, it was agreed that these fields will be used for arable farming and a tertiary field for the Brent Geese
- Concerns over nutrient run off
- Impact on Brent geese
- Light pollution will cause harm to the natural environment
- Does not meet requirements of the Havant Borough Biodiversity Strategy
- Impact on bats
- Insufficient ecological surveys
- Concern over impact on birds beyond the application site
- We have observed newts in our garden moving onto the application site
- Construction phase impacts on wildlife and retired residents
- Impact on species, protected species and their habitats (for example bats, robins, woodpeckers, great tits, blackbirds and the geese, hedgehogs, foxes, deer, butterflies, newts, slow worms, etc.)
- Impact on internationally important sites, borders on the important core refuge for wading birds
- Will impact on the oyster beds in the area

Impact on infrastructure

- Further residential development on Hayling Island should not be considered without enhancements to infrastructure especially in regard to traffic access and healthcare
- Insufficient service infrastructure (doctors, pharmacies, schools, dentists, gas, water electricity, sewerage, telephone and broadband)
- Insufficient employment on the Island, no public swimming pools, leisure centres, cinemas or art centres.
- Additional strain on petrol stations, supermarkets
- Will reduce water pressure in the area

Sustainability and climate change

- No solar panels on new houses

- Climate change impacts of increasing risk of flooding
- Does not support the aim to achieve zero carbon, will increase global warming,
- This field could be used for solar panels with wild flowers and trees planted.

Other

- Government targets should not apply to Hayling Island as it's an island
- No development covenant on the land
- Concerns over social housing being right up against my back fence
- Will devalue my property
- Where will the social housing be located
- Extensions of time to determine the application are not appropriate
- Unacceptable in the historic context
- Concerns over any future additional development on the remainder of the fields
- Social housing being right up against my back fence
- Social housing will devalue our property
- Risk of drowning in the proposed pond
- Food production should be prioritised over housing
- What will happen with the stream that runs through the site
- Cumulative impacts with other developments, especially Oysters II (APP/21/01350)
- Inadequate publicity
- Will devalue existing properties
- Decision on the application should not be delayed anymore
- Plans lack detail and are deceptive

Comments from Havant Climate Alliance and Friends of the Earth:

- No further building development should be considered on Hayling until a new Local Plan has been accepted
- Local services are already stretched
- Hayling's road network is already congested at peak times and results in air pollution and inconvenience for residents
- More development will increase the amount of stormwater discharges into the harbours with negative effects on eutrophication
- Will reduce foraging and roosting resources for over-wintering Brent Geese and Waders. Although these sites are categorised as Low Use and Secondary support sites for these birds, they are adjacent to a Core support site and close to the SPA, SSSI and SAC area of Langstone Harbour.
- Any other mitigation site adjacent or close to the harbour will already be a site in use by the birds and will only subtract from available support area. Also funding

for e.g Bird Aware cannot compensate for loss of foraging resource.

Second notification:

Principle of development

- Conflicts with planning policies; contrary to the statutory Development Plan of Havant Borough Council, conflict with Emerging Strategy: The Havant Borough Council's Draft Building a Better Future Plan (published July 2025)
- Greenfield site, outside the settlement boundary, and there are no exceptional circumstances; development will alter the character of West Hayling; loss of countryside; loss of green space

Access and highways

- Access to the site via Saltmarsh Lane, West Lane or Brights Lane is not adequate, the road is narrow with cars parked along the road, not adequate for new development or construction traffic
- Site access: The developer's own Road Safety Audit acknowledged visibility issues at the site entrance due to parked cars; dangerous access arrangement; concerns over visibility;
- Condition of access roads is not appropriate for additional traffic
- Traffic impact on the bridge, the bridge was not built for the current number of residents
- Cumulative impact with other permitted development
- Impact on pedestrian safety
- Traffic impacts, affected access for emergency vehicles, impacts on the A3023 and Langstone roundabout.
- Access onto the Island: Hayling Island relies on a single road bridge for access. Any increase in vehicle movements directly impacts island-wide resilience, including emergency services.
- Existing traffic problems on the Island, danger on local roads due to congestion and parked cars
- Shift to sustainable modes of transport and away from private cars unlikely to happen in the near future
- Impact on air quality

Residential amenity, noise

- Impact on quality of life
- Disruption and danger during construction
- Impact on residential amenities of existing properties, the placement of flats is too close to existing properties (overlooking, loss of outlook), overbearing development

- Noise and disturbance to existing properties
- Noise from pumping station

Flooding and drainage

- Site in Flood Zone 2 and 3
- Tidal flooding: under climate change scenarios, this land will be at risk from tidal flooding within its lifetime. The developer dismisses this risk on the assumption that future flood defences will be built. This is speculative, unfunded, and outside the applicant's control; risk to bridge and affected access for emergency vehicles; no guaranteed funding to progress any flood defence works to protect the A3023 south of the bridge; Havant should not be granting any housing development on Hayling until that has not just been guaranteed but has been implemented.
- Surface water flooding on site, the site drains into a stream which runs over my property, the stream is already at capacity after heavy rainfall; the proposed mitigation of the flood risk by raising the ground level, and installing a retaining wall is simply going to move the flood problem from the proposed development site into my property; the site and surrounding land flood frequently; Drainage Strategy proposes attenuation basins and swales discharging into existing ditches and potentially the sewer network. This is heavily reliant on ongoing maintenance and carries a high risk of blockage or failure. There is no enforceable mechanism to guarantee performance over the lifetime of the development.
- Water feature will attract pests, mosquitos, hazard to human health
- Failure of Sequential and Exception Tests: Planning Policy responses already state that sequentially preferable sites exist. National policy is clear: development should not be placed in areas at risk when alternatives are available. This site fails that test.
- Relies on land raising
- Foul drainage: Southern Water has not confirmed capacity for foul drainage
- Consultees objections to Drainage Strategy and Flood Risk Assessment
- More sewage to be pumped to Budds Farm so that Southern Water can pump it straight back into Langstone harbour. Southern Water are unable to cope with the present situation

Ecology

- Loss of habitat/wildlife disturbance i.e. Buzzard
- The land to the south of Saltmarsh Lane is kept for Brent geese and other birds, and no further building is to be allowed on these fields.
- The site lies within a candidate Brent Goose and Wader site (H34D). The applicant proposes off-site mitigation at Mill Rythe. This is wholly inadequate: mitigation that relies on third-party land management elsewhere is neither enforceable nor a genuine replacement for lost habitat; undermines the Habitats

Regulations and biodiversity net gain requirements.

- Impact on ecology and trees, impact on TPO within the property of no. 64

Design

- Design: visually intrusive

Impact on social infrastructure

- Impact on health care provision
- Impact on schools
- Impact on local services
- Charging points for anticipated electric car revolution will overload the electricity supply on the island .
- Overloading of water supply and drop in water pressure to surrounding properties.
- Gas supplies similarly affected

Other

- Homes for sale already on the market, no need for more housing, no proven demand for housing, minimal contribution towards 5 year housing land supply; speculative development
- Loss of agricultural land reduces local food production capacity at a time when resilience is critical.
- Insufficient publicity
- Restrictive covenant limiting the use of the access strip to serve multiple dwellings

7. Planning Considerations

7.1 Having regard to the relevant policies of the development plan, the planning history of the site and all other material considerations, it is considered that the main issues arising from this application are:

- 7.2
- (i) Principle of development and off-site tidal flood risk
 - (ii) Design and landscape
 - (iii) Impact on residential amenities
 - (iv) Impact on ecology and nature conservation sites
 - (v) Impact on highways
 - (vi) Flood risk and drainage
 - (vi) Other considerations

(i) Principle of development and off-site tidal flood risk

Development Plan

- 7.3 The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan provide the development plan for the Borough.

Emerging Development Plan and updated evidence base

- 7.4 The Draft Building a Better Future Plan was subject to consultation in the Summer of 2025, supported by a number of evidence base studies which have updated the position on development requirements, land supply and constraints. Of particular relevance to this application are:

- The 5-year housing land supply update
- The development strategy in the Building a Better Future Plan
- The Sustainability Appraisal of the Building a Better Future Plan
- The Council's Strategic Flood Risk Assessment (SFRA)
- The Council's Local Plan Sites SFRA.

Principle of development

- 7.5 The site lies outside the urban area as defined by policies CS17 and AL2 of the Development Plan. These policies seek to restrict development in these locations, except in exceptional circumstances. It is not considered that any of the exceptions for housing would apply here. Therefore, the residential proposal is a departure from the Development Plan.

Five Year Housing Land Supply

- 7.6 The Council's Five Year Housing Land Supply Update (December 2024) indicates the Council has 1.8 years supply with a 20% buffer applied. This is notably below the five year supply threshold. The proposed scheme is not in the five year supply in whole or part. A permission would therefore result in a gain of up to 60 units or 0.06 years towards the five-year housing supply requirement, as shown below.

Five year requirement with 20% buffer = 5,352 dwellings

Divided by 5 years = 1070.4 dwellings a year

60 dwellings / 1070.4 dwellings = 0.056 years

Paragraph 11 of the National Planning Policy Framework (NPPF) explains that planning applications should be granted in these circumstances, unless:

- policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development proposed; or
- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of doing so.

These caveats in paragraph 11d i) and ii) of the NPPF must be carefully weighed up in the planning balance.

Footnote 7 of the NPPF specifically identifies categories of development which benefit from the first caveat – areas at risk of flooding and coastal change are one.

On-site tidal flood risk

- 7.7 The site lies in present day Flood Zone 1 (low risk). The National Flood Map for Planning indicates that in the future, with climate change taken into account, the entire site will be at risk. The Council's Strategic Flood Risk Assessment, which has been confirmed by Environment Agency to be the most accurate representation of future risk, also indicates that parts of the site will be in at risk. Therefore, tidal flood

risk is a key consideration in determining this application and this is further discussed in the Assessment section of the report and Planning Balance.

Off-site tidal flood risk

- 7.8 Both the Council's Strategic Flood Risk Assessment (SFRA) and the National Flood Map for Planning show that the single access road to Hayling Island, the A3023, is at risk of flooding, with significant increases expected in extent, depth and hazard in the future (see Part 4 – Havant Report, paragraphs 3.2.20- 3.2.24, and Appendix B maps). The SFRA (Part 4 – Havant Report, paragraph 6.11.8) recommends that this information should be taken into account in considering the suitability of further development on Hayling Island, with respect to tidal flood risk. It suggests that the Council needs to be satisfied that proposals can be regarded as safe in the event that vehicular access to the mainland is not achievable.
- 7.9 While a Flood and Coastal Erosion Risk Management Strategy for Hayling Island has been developed by the Council's Coastal Partners and has been approved by the Environment Agency, it must be noted that funding for the schemes within it, which may mitigate the risk discussed above, has yet to be identified.
- 7.10 Paragraphs 163 and 164 of the NPPF are clear that the need to mitigate and adapt to climate change should be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.
- 7.11 New development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change, and when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures.

Conclusion on the principle of development

- 7.12 The Council's substantial shortfall in 5-year housing land supply is not disputed and is a significant consideration. Notably, however, the caveats in paragraph 11d i) and ii) of the NPPF must be carefully weighed up in the planning balance, together with all other relevant material considerations.
- 7.13 Footnote 7 of the NPPF specifically identifies categories of development which benefit from the caveat at 11di) - 'areas at risk of flooding and coastal change' are one such category. Flood risk therefore represents a special consideration when applying the 'presumption in favour of sustainable development'.
- 7.14 In relation to flood risk it is considered that the proposal runs contrary to relevant NPPF policies in relation to areas at risk of flooding and coastal change, in particular because the proposal does not take account of the need to mitigate and adapt to the effects of climate change and does not avoid increased vulnerability to the range of impacts arising from climate change [in this case climate change related flood risk to Hayling Island]. (NPPF 163/164).
- 7.15 In light of the above, Officers conclude that tilted balance is disengaged in this case.

(ii) Design and landscape

- 7.16 The application site comprises of arable fields with fairly limited boundary screening in the form of hedges and trees on the southern and western boundaries. The Hayling Billy Coastal Path offers more dense boundary planting, however, there are gaps in the vegetation which provide clear views into the site and beyond, including the views of the existing dwellings in Saltmarsh Lane and West Lane. The topography of the

site and the immediately adjacent area is relatively flat and so the site is also visible from the existing dwellings in Glebe Close, Charleston Close and the development of Oysters.

- 7.17 It is noted that the existing dwellings to the north consist predominantly of single storey, detached and link-detached bungalows (from the proposed vehicular access point in Saltmarsh Lane towards the west) and two storey, semi-detached dwellings (from the proposed vehicular access point in Saltmarsh Lane towards the east). The dwellings in West Lane abutting the application site on its eastern boundary consist of single storey, detached bungalows. The dwellings are situated in relatively generous plots offering ample frontages accommodating off-street car parking, planting and attractive boundary enclosures. The sizes of the rear gardens vary, however, they are mostly of generous size. The dwellings in the nearby area are predominantly of traditional proportions and appearance. The above features create an attractive, verdant residential environment characterized by a feel of spaciousness.
- 7.18 As explained above, the only part of the proposed development that is under consideration under this application is the access onto the application site. Other elements of the proposed development are shown in illustrative form to indicate how a development of up to 60 dwellings, together with associated infrastructure, could be accommodated within the application site. These proposals provide an overview of the possible layout, scale, landscape strategy, etc. however, the detailed assessment of these features is reserved to a later, reserved matters stage and are not considered under this submission.
- 7.19 The indicative masterplan indicates that the proposed vehicular and pedestrian access into the site would lead from Saltmarsh Lane, south into the centre of the site and turning both west and east. A pedestrian and cycle access would be provided onto the Hayling Billy Coastal Path to the west. Within the central part of the site, the indicative plan indicates an open area of land incorporating a group of native trees, the retention of the existing mature trees, a wildflower grassland, an equipped play area and an attenuation basin. Dwellings would be arranged predominantly into a linear development within the eastern and western parts of the site. The Design and Access Statement further confirms that the drainage elements would be designed as amenity features that would also enrich the biodiversity of the area. A pumping station is indicated to be located in the southernmost part of the site.
- 7.20 The submission indicates that the proposal could include a mixture of 2, 3 and 4 bedroom dwellings (52) and flats (8) served by a total of 70 car parking spaces. The Planning Statement clarifies that the height of the units would vary between 2 and 2.5 storeys, with the lower, up to 2 storey buildings abutting the existing dwellings in Saltmarsh Lane and West Lane. The dwellings would be served by off-street car parking spaces, modest frontages and rear gardens. The external appearance would likely be traditional.
- 7.21 The site is at future risk of tidal flooding. The submitted Flood Risk Assessment clarifies that one option of mitigating the risk would be raising of land levels so that finished floor levels are at least 4.7m AOD. It is noted that the southern parts of the site are already above this level, thus these areas would not be subject to a dramatic level change. It would be the northern parts of the site where land levels would be raised. The actual increase in levels would vary across the site and would be determined at a reserved matters stage, however, for the lowest parts of the site, the increase could be in excess of 1m.
- 7.22 With the exception of a loss of one Category 3 tree, in order to provide the proposed access onto the site, the development would retain the existing planting, including the trees on the edges of the site. There would also be additional trees on the northern

boundary to create a buffer between the proposed dwellings and the existing dwellings in Saltmarsh Lane. Further planting would be incorporated on the western boundary to increase the natural screening of the site from the Hayling Billy Coastal Path and reduce visual impacts of the proposed built form on the users of the Path.

- 7.23 In light of the above considerations, it is considered that the proposed development would bring a significant change to the character and landscape of the site. Both landscape and visual impacts would be significant due to the proposed development, including its features such as buildings, gardens and roads, replacing a rural, greenfield landscape pattern. This significant change in the character of the site means that the intrinsic beauty of the undeveloped, countryside site would be eroded to some extent. However, it is noted that the site is not covered by any statutory or non-statutory landscape designations, which receive a greater degree of protection in the NPPF and, whilst the urbanisation of the site would not contribute positively to the landscape setting, there are existing characteristics of the site and also measures could be taken to limit the degree of harm.
- 7.24 It is noted that the proposed development would be adjacent to the southern edge of the Saltmarsh Lane development and the western edge of the West Lane development, rather than being an isolated development. The resultant urban grain of the proposed development would be comparable to the urban grain of the existing nearby area.
- 7.25 Whilst it would normally be expected for the edges of a proposed development meeting the countryside to be characterised by looser density with higher proportion of soft landscaping appropriate for an urban fringe location, it is noted that the proposal would sufficiently resemble in this regard the existing development in Saltmarsh Lane, which currently forms the edge of the built form.
- 7.26 The internal roads serving the proposed development would not be different to those in existing settlement. There is no reason to believe that, at a reserved matters stage, a detailed design of dwellings could not be agreed to be in keeping with the predominant character of the existing dwellings. Therefore, the proposed development would not appear out of character or fundamentally different to its immediate surroundings.
- 7.27 The proposal would retain much of the existing vegetation and would provide additional tree and hedgerow planting across and on the edges of the site. A robust planting scheme would be expected on the western boundary to reduce views into the site and maintain the character of the Hayling Billy Coastal Path. In light of the above, Officers conclude that the proposal as shown on the indicative plans could achieve a verdant appearance with appropriate mitigation measures, that would soften its impact on and integrate well with the surrounding landscape.
- 7.28 Visually, being located adjacent to the existing development in Saltmarsh Lane and West Lane, the proposed development would not appear to be isolated or remote from the settlement. From many vantage points, it would appear in the context of the existing housing. The retention of boundary screening with further planting would also limit visual effects of the proposal.
- 7.29 The areas subject to land raising would be located within the northern parts of the site, near the edge of the existing settlement. When seen from the Hayling Billy or the open countryside, they would be seen at a distance and within the background of existing dwellings. Therefore, the raising of the levels would not in itself make the proposal harmful in terms of landscape and visual impacts.
- 7.30 Overall, Officers conclude that, whilst the character of the site would change, subject

to appropriate boundary screening, this would be largely confined to the site area itself and not the wider countryside, in particular in light of the application site being already adjacent to existing housing. The localised visual and landscape effects of the proposal would reduce the degree of harm to an acceptable level. The existing agricultural fields to the south and west of the site would remain contributing towards the wider landscape setting.

7.31 In light of the absence of objection from the Council's Tree and Landscape Officers and subject to planning conditions relevant to detailed design, external materials, lighting scheme, trees, soft and hard landscaping, Officers conclude that the proposal would have an acceptable impact on the character and appearance of the area, including the landscape setting.

7.32 Had the Local Planning Authority been minded to approve this application then the above detail would have been secured with planning conditions and a legal agreement.

(iii) Impact on residential amenities

7.33 The proposed Illustrative Masterplan indicates that proposed dwellings within the northern part of the site and directly facing onto properties in Saltmarsh Lane and West Lane would be located at least 10m away from the rear boundaries which would be in line with the requirements of the Design SPD. Other properties, which would be positioned sideways towards the existing dwellings, would be expected to be designed so that their internal layout and window arrangement did not cause any harm to the existing dwellings in terms of privacy. The Illustrative Masterplan shows that back-to-back distances would be met between the proposed development and existing properties as well as within the development itself.

7.34 The arrangement of the dwellings located within the southern parts of the site would resemble a perimeter block with 10m gardens. Internal layout and associated fenestration would be expected to be designed to avoid any harmful loss of privacy or overlooking.

7.35 In terms of other impacts such as upon light or outlook, the layout has been designed to avoid any harmful impacts to existing properties as well as the properties within the site.

7.36 It is noted that the Flood Risk Assessment suggests land raising as an option to mitigate tidal risk flooding on the site. This would require finished floor levels to be raised to 4.7m AOD. The required land raising would occur predominantly within the northern part of the site, close to where the existing residential properties are located.

7.37 Whilst the submission indicates that building heights on site would be of 2 and 2.5 storey heights, this may need to be adjusted for buildings near the existing properties in order to avoid harmful impacts in terms of overlooking and overbearing. At reserved matters stage, detailed design should meet the relevant criteria set out in the Council's Design SPD. This could be achieved with sensitive design incorporating appropriate building heights, internal layout and fenestration.

7.38 Furthermore, any forthcoming submission of reserved matters application would be expected to demonstrate that the proposed dwellings meet, as a minimum, the national technical guidance for internal space standards.

7.39 In terms of noise impact on the existing residents, the Environmental Health Officer reviewed the submission and raised no objection subject to conditions securing details of external lighting across the site, the requirement for any potential on-site air

source heat pump proposals to be accompanied by an acoustic assessment alongside relevant mitigation measures to ensure no impact on existing and new neighbouring residential receptors, and the submission of a Construction Environmental Management Plan providing details including but not limited to working hours, deliveries and removal of plant, machinery and waste, control measures for dust and other air-borne pollutants, noise and lighting.

- 7.40 In terms of noise impacts on the prospective occupiers of the proposed development, the Environmental Health Officer noted that the submitted noise assessment by Patrick Parsons (2021) demonstrated that any adverse noise impacts could be minimised to an acceptable level. In light of this, it has been requested that the reserved matters proposals including the detailed design of houses ensure that all dwellings meet BS8233 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq, 16 hour and at night (23:00 to 07:00) 30 dB L Aeq, 8 hour for bedrooms. Similarly for traditional external areas that are used for personal amenity space, such as gardens, patios and balconies, it is desirable that the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.
- 7.41 Had the Local Planning Authority been minded to grant planning permission then these requirements would have been secured with appropriately worded planning conditions.

(iv) Impact on ecology and nature conservation sites

- 7.42 The site comprises an area of arable-dominated land with associated semi-improved grassland, hedgerows, trees, scrub and ditches.
- 7.43 The application is accompanied by an amended Ecological Impact Assessment (Tyler Grange, July 2025), Habitats Regulations Assessment (Tyler Grange, July 2025), and a Brent Goose and Wader Mitigation Strategy (Tyler Grange, April 2025). These reports contain updated assessments of the site's ecological features and value, including from additional field surveys conducted in 2025, notably for bats. Updated bat survey works included ground-level and climbed tree inspections, emergence surveys, walked transects and automated monitoring.
- 7.44 The Council's Ecologist was consulted on the application and confirmed that the site conditions have remained consistent throughout the various years of assessment and that the potential ecological constraints are well understood. The site is not of exceptional ecological importance and contains a typical range of generally species-poor habitats found on farmland on Hayling Island. The key features are the various ditches as well as boundary hedgerows and trees. These habitats do support populations of protected and notable species, most notably common reptile species.

Waders and Brent Geese

- 7.45 The site is classified as a Candidate Site (Low Use) site (H34D) in the Solent Waders & Brent Goose Strategy (SWBGS) making Policy DM23 of the Local Plan and Paragraphs 193 -195 of the NPPF key considerations with regard to impacts on protected species. The Candidate classification is used for sites where there is insufficient data to conclusively determine status. The Candidate status is qualified, by in this case a Low Use classification, to indicate a provisional status based on the available data. For H34D it is clear that there are very few records of SPA bird species – a total of 7 Lapwing recorded in 2009 plus Tyler Grange's record of 10 Lapwing in 2012 – and the Candidate (Low Use) classification seems justified. Winter bird surveys conducted by the applicant between 2011 and 2021 recorded no other

SPA bird species within H34D. The proposal would result in the total loss of Site H34D. In order for this loss to be judged acceptable, an appropriate mitigation/compensation package would be required.

- 7.46 The application is accompanied by a Brent Goose and Wader Mitigation Strategy (Tyler Grange, April 2025) which is essentially unchanged from that previously submitted and discussed in 2022, 2023 and 2025, and has been subject to detailed discussion with Natural England officers and the Council's Ecologist. The principle of utilising 4.21ha of land to the south and east of at Mill Rythe Junior School as mitigation remains agreed in principle, and the strategy provides further details on what, in practice, is proposed in order to ensure the Mill Rythe land provides a functional off-site habitat for bird species. In essence, the strategy entails the cessation of certain land use activities at the Mill Rythe site, alongside some enhancements.
- 7.47 The Council's Ecologist considers the proposed management changes - cessation of dog walking activities, better grassland management, boundary strengthening - to be achievable mitigation and enhancement measures to Solent Waders & Brent Goose Strategy (SWBGS) Core Site H50C. The proposed mitigation/enhancement measures would provide habitat attractive to Brent Geese in particular, in an area where they have traditionally occurred in significant numbers. The principle of providing permanent habitat in key locations (as opposed to intermittently available habitat) is a central thread of the SWBGS. The current activities on Site H50C are detailed, as are other factors that may render the site unattractive to wintering birds.
- 7.48 Had the Local Planning Authority been minded to grant planning permission then a Habitat Regulations Assessment/Appropriate Assessment (HRA/AA) would have been carried out by the Local Planning Authority as the competent authority in respect of likely significant effects on nature designated sites, which would include a review of proposed mitigation measures designed to off-set any significant impacts. A legal agreement with the applicant would have been required to secure the submission of a Landscape and Ecological Management Plan detailing ecological avoidance, mitigation, enhancement and management measures as detailed in the Ecological Impact Assessment (Tyler Grange, July 2025) and including full details of all on-site and off-site ecological avoidance and mitigation measures, to include timings, methods and responsibilities; full details of all ecological compensation and enhancement measures, including location, area, composition, establishment and ongoing management, monitoring and responsibilities.
- 7.49 The application site is also immediately adjacent to the permanent bird refuge off Sinah Lane. Had the Local Planning Authority been minded to grant planning permission then a pre-commencement planning condition would have been required to secure the submission of a Construction Environment Management Plan in order to manage any construction-phase activities impacting the refuge. The CEMP would have been required to detail specific measures to avoid or mitigate potential impact pathways affecting ecological features and especially the adjacent Chichester & Langstone Harbours Special Protection Area (SPA) and Ramsar site and their interest features and also including roles, responsibilities and methods.

On-site habitats

- 7.50 In terms of habitats on site, the Council's Ecologist has confirmed that the on-site habitats are of relatively low ecological value. The bulk of the site comprises arable farmland and is of limited ecological value. There is a small area of species-poor grassland at the arable margins. There are typical agricultural hedgerows with trees in various boundary locations, and drainage ditches present in the site's centre and southern boundaries. The proposal (as far as it is detailed) allows for the retention of

boundary vegetation, with mature trees and hedgerows retained and an area of SuDS and apparent semi-natural habitat in the northern central section of the site.

- 7.51 In terms of species on site, surveys have been carried out for roosting bats, bat activity, Great Crested Newt, Badgers and wintering birds. Walked bat transect and automated surveys have highlighted the presence of several bat species within the site, with activity dominated by Pipistrelle species. There is no evidence of roosting on site, with two trees offering roosting potential and surveys of these recording no roost evidence. Bat activity in general is typically concentrated around structured linear features. The Council's Ecologist has confirmed that sufficient bat survey information has been provided.
- 7.52 Had the Local Planning Authority been minded to grant planning permission then a suitable lighting strategy would have been secured with a planning condition to ensure that habitats likely to be used by bats would not be subject to artificial illumination. In addition, ecological enhancements such as integral bat roosting units within new dwellings and ambitious levels of enhancement would have been secured with planning conditions.
- 7.53 The site supports a population of Slow-worms, with around fifty animals recorded within grassy margins. The proposed development would remove the vast majority of reptile habitat and therefore a suitable alternative compensatory habitat would be required.
- 7.54 At this stage, no firm detail has been provided to clarify the size of any compensatory reptile habitats needed to be accommodated within the site. The Illustrative Masterplan indicates narrow strips of land on the eastern, western and southern edges of the site to remain undeveloped. The residential element of the proposal is dense with the garden lengths only meeting the required garden length. The Masterplan, at this stage, does not indicate the size of the proposed dwellings in order to estimate the required car parking provision and to provide clarity on how much land this would require. At this outline stage, the Highways Authority does not comment on the internal road network, in terms of required road and footpath widths, turning places etc. Therefore, there is no certainty that the final built development can be contained within its current extent. The proposed site layout is compact and the only open spaces within the site that could act as potential reptile habitats are on the northern, eastern and western edges of the site. If the built element of the proposed development needed to be shifted towards those edges, for example in order to create more space to accommodate appropriate widths of roads and/or car parking provision, this would further reduce available land for reptile habitat. There is also land within the central area of the site, the land would be disconnected from the undeveloped land to the south by the proposed roads, dwellings and gardens. No detail has been provided to demonstrate that this land would be acceptable to accommodate appropriate reptile habitat. Therefore, due to the compact nature of the proposed layout, there is no sufficient certainty at this stage that the proposed site can satisfactorily accommodate the proposed number of dwellings, together with associated infrastructure, and the potential reptile habitats.
- 7.55 Subject to appropriate detail, off-site habitats could be considered acceptable, however, at this stage no such detail has been provided. As off-site mitigation, including long-term maintenance, would have to be secure with a legal agreement, the relevant detail would have to be agreed at this outline stage.

Impact on nature designated sites and nutrient neutrality

- 7.56 Natural England as a statutory consultee has confirmed that the proposed development

could have a likely significant effect on:

- Solent and Dorset Coast SPA
- Portsmouth Harbour SPA and Ramsar Site
- Chichester and Langstone Harbours SPA
- Solent Maritime SAC
- Solent and Southampton Water SPA

- 7.57 The proposal would result in the net gain of 60 dwellings which need to comply with the Habitats Regulations. The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several Solent European Sites due to both the increase in recreation and the decrease in water quality that would result from the proposed development resulting in the gain of 60 dwellings.
- 7.58 Using Natural England's updated Methodology, the planning application requires two packages of avoidance and mitigation. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement on Nutrient Neutral Development.
- 7.59 Appropriate information has been submitted with the application when it was first submitted in 2022 to demonstrate that the applicant would be willing to provide an adequate mitigation package in respect of nutrient neutrality and recreational disturbance. Whilst no updated nutrient budget calculator was submitted with the recent resubmission, there is no reason to believe that the applicant would not be willing to provide the required information.
- 7.60 Had the Local Planning Authority been minded to grant planning permission then this information would have been requested. Any mitigation package would have been subject to an HRA/AA in consultation with Natural England, and would have been secured with a legal agreement and planning conditions.

(v) Impact on highways

Site Access

- 7.61 The submission clarifies that access onto the site would be achieved via the existing site access, which currently runs between Nos. 64 and 64a Saltmarsh Lane and contains a field gate. It is noted that this access also provides a direct access to No. 64.
- 7.62 The proposal includes a bellmouth arrangement in the same location as the existing vehicle crossover between Nos. 64 and 64a Saltmarsh Lane. The Highway Authority was consulted on this proposal and confirmed that this arrangement is considered acceptable.
- 7.63 The access would be upgraded to include a 6m wide carriageway with a 2m footway flanking the western side of the carriageway and a circa 1m service margin along the eastern stretch. There would also be tactile paving at the bellmouth providing crossing facilities for pedestrians.
- 7.64 The Highway Authority is satisfied with the submitted tracking analysis demonstrating

that an 11.20m 'super large' refuse vehicle would be able to pass a car at the site access and along a short stretch of the access road.

- 7.65 It has been noted that a refuse vehicle would overhang the opposite side of the carriageway upon entering the site. However, as the vehicles exiting the site would have adequate visibility to wait for the refuse vehicle to pass without having to reverse, this arrangement would be acceptable.
- 7.66 During the course of the application, the Highway Authority required further information regarding the existing tree located within the site access visibility splays. The applicant has confirmed the species and the trunk of the tree has been confirmed to be not exceeding 550mm, therefore not blocking the proposed visibility splay.
- 7.67 It has been noted that the submission did not provide any narrative regarding visibility at the access to No. 64. However, drawing 020.0660.001 Rev B shows interaction between the existing fence line and the visibility splay, whereby the latter is not obstructed. Therefore, the Highway Authority have confirmed that appropriate visibility can be achieved from the existing access in this location.
- 7.68 Officers note that the latest revision of the site arrangement plan has not been provided to the Local Planning Authority. At the time of writing this report, the plan is awaited from the applicant.

Access for refuse and car parking

- 7.69 Details of internal layout of the proposed development, including car parking provision, turning areas, bin collection point locations, as well as appropriate road layout allowing a refuse vehicle to manoeuvre and egress the site in forward gear would be assessed at reserved matters stage.

Sustainable Access

- 7.70 Following the submission of a Walking, Cycling and Horse-Riding Assessment (WCHAR) and in response to the request from the Highway Authority, the proposal incorporates a 3m wide connection via the western boundary onto the Hayling Billy Trail.
- 7.71 Had the Local Planning Authority been minded to grant planning permission then details of connection and a financial contribution towards connection works on the Hayling Billy Trail would have been secured with a legal agreement.
- 7.72 The Highway Authority also initially raised concerns over pedestrian safety in the nearby area. In response, the applicant provided plans showing a number of improvements to be undertaken, including:
- footway along eastern side of West Lane would be widened to meet highways standards;
 - the provision of tactile paving across Glebe Close junction with West Lane;
 - footway on the northern side of the Saltmarsh Lane/West Lane junction would be widened;
 - the A3023 adjacent to Brights Lane would be widened to provide a refugee island and to facilitate improved crossing provision.
- 7.73 Had the Local Planning Authority been minded to grant planning permission then these works would have been secured with a s106 agreement to be delivered under a s278 agreement together with a financial contribution towards the works.
- 7.74 In respect of Equestrian users, the Highway Authority is satisfied that no

improvements would be necessary as a result of the proposed development.

Travel Plan

- 7.75 During the course of the application, the applicant has provided a Framework Travel Plan, with the final version being updated in April 2025. The Highway Authority agrees the Framework Travel Plan and recommends that it is secured with a s106 agreement along with associated monitoring and evaluation fees and cash deposit/bond. In addition, a full travel plan should also be secured through the s106 to be provided prior to commencement.
- 7.76 Had the Local Planning Authority been minded to grant planning permission then these recommendations would have been followed.

Personal Injury Accidents (PIA)

- 7.77 The submission is accompanied by an out-of-date PIA Assessment. However, the Highway Authority has reviewed more recent data and is satisfied that there would be no changes to the conclusions drawn from the data provided. As agreed with the Highway Authority, the scope of the assessment included:
- West Lane;
 - Saltmarsh Lane; and
 - Brights Lane up to the A3023 junction.
- 7.78 The data revealed 12 Personal Injury Accidents. 2 slight and 1 serious accident have occurred within close proximity to the proposed development. There has been a history of collisions along the northern stretch of West Lane triggering several safety-led highway improvements in the form of white lining, bollards and the current 40mph limit. The Highway Authority noted a small cluster of collisions at the West Lane/A3023 junction occurring due to limited visibility due to constraints with existing residential properties. These could be addressed with traffic calming measures along the southern section of West Lane to slow down traffic and aid visibility for cars egressing Saltmarsh Lane, as discussed in the following paragraph.

West Lane Traffic Calming Measures

- 7.79 In response to the request from the Highway Authority, the submission provides details of indicative traffic calming measures along the southern section of West Lane. The proposal includes the removal of the existing centreline and the introduction of carriageway edge lining from the junction with Saltmarsh Lane southwards to Dover Court, encompassing a speed limit change north of Brights Lane. In addition, the proposal incorporates surface treatments, speed roundel, and visual narrowing. The Highway Authority is satisfied that these measures would help to reduce vehicle speeds and improve visibility for vehicles egressing Saltmarsh Lane.
- 7.80 Had the Local Planning Authority been minded to grant planning permission then a financial contribution towards the implementation of the scheme and associated necessary legal works would have been secured with a legal agreement.

Trip Generation, Distribution and Junction Modelling

- 7.81 The submitted Transport Assessment uses the Beech Grove development trip rates to forecast the additional trips generated by the proposed development. The Highway Authority has not disputed the approach or the suggested numbers of trips.

7.82

Beech Grove (HCC Trip Rates)	AM Peak (0800-0900)			PM Peak (1700-1800)			12 Hour Total Daily Trips
	Arrivals	Departures	Total	Arrivals	Departures	Total	
Trip Rate (Per 1 Dwelling)	0.149	0.305	0.454	0.320	0.230	0.550	4.770
Trip Generation (60 dwellings)	9	18	27	19	14	33	286

7.83 In terms of traffic distribution, the submission suggests that 17.2% of trips would route towards Park Road North/South, 43.2% of trips would route towards the A27 West, 7.8% of trips would route towards the A27 East, 25.4% of trips would stay in Hayling Island and 6.4% of trips would route towards the A(3)M.

7.84 The Highway Authority agrees with these assessments.

7.85 In terms of junction modelling, the applicant has undertaken a junction capacity analysis for the Saltmarsh Lane/West Lane priority junction using current, future and future with the proposed development scenarios. The Highway Authority commented that the assessment indicates that, in the future scenario including the proposed development, the junction would be able to operate well within its capacity. Given these results, the Highway Authority agreed that modelling of other local junctions would not be required (except from the strategic highway modelling addressed in the following section of this report).

Summertime Traffic and Strategic Highway Modelling

7.86 The Highway Authority requested in 2022 further information in relation to impacts on the strategic road network, in particular at the Manor Road roundabout and the A27 Langstone Roundabout. The Inspector examining the emerging Local Plan at that time also highlighted the need to assess impacts during seasonal peak hours. Other outstanding applications (Rook Farm, Fathoms Reach and Land north of Oysters) also needed to be included in this assessment. Since then, the Highway Authority, Havant Borough Council (HBC) and National Highways have been actively engaged in order to agree an appropriate methodology for undertaking traffic modelling using the Hayling Island microsimulation model in order to assess the cumulative impacts of the four live planning applications.

7.87 The applicants commissioned an update to the microsimulation model which was based on the Hayling Island Paramics model (a 3D traffic simulation software used by transport professionals to design, evaluate, and present solutions for traffic and road networks), originally developed for the 2019 Hayling Island Transport Assessment used to support the withdrawn Havant Local Plan. The Model has been updated with more recent traffic data and account of the summer peak period.

7.88 During the course of the application, the Highway Authority confirmed that the updated neutral month Paramics base model remained fit for purpose, with the summer model prioritised to capture peak seasonal conditions.

7.89 It was also requested that the microsimulation modelling be supplemented with standalone junction capacity assessments, including A3023 Havant Road/Church Road (Mill Rytte Roundabout), A3023 Langstone Road/Northney Lane, A27/Langstone Road/Park Road South (Langstone Roundabout).

7.90 The Highway Authority has reviewed the outputs from the agreed model and noted

that the traffic modelling for this proposed development does not indicate a severe impact in terms of overall network performance. There are material traffic impacts when considering future scenarios including the impacts of the four applications together, whereby increased journey times have been identified during peak periods and summer months on the A3023 Havant Road and material impact at the A27 Langstone Roundabout. The Highway Authority confirmed that these impacts would require mitigation. It was noted that the cumulative harm of the four developments would add further strain and delay to sections of the A3023 Havant Road, at particular key junctions.

- 7.91 The Highway Authority concluded that, in order to address the identified cumulative impacts, financial contributions towards schemes supporting modal shift, reduce car dependency, improve connectivity and network resilience would be required.
- 7.92 Therefore, in order to make this proposal acceptable in highways terms, the Highway Authority have requested that a contribution is secured towards measures that reduce journey time delay by promoting and enabling active travel. Improvements to the Langstone Roundabout (focusing on bus and capacity improvements for access to the strategic network as well as crossings improvements/additional crossings and surface/route improvements) and the Hayling Billy improvement scheme have been identified as the key focus areas.
- 7.93 In conclusion on general highways matters, the Highway Authority has raised no objection to the application subject to conditions and a legal agreement securing, among other matters, a provision of a connection point to the Hayling Billy Trail and a contribution towards provision of onward connection outside the site boundary to the existing Hayling Billy pedestrian and cycle provision, together with a transport contribution arising from the cumulative harm of the development to mitigate its impact on the A3023 with the monies secured towards:
- Delivery of the Hayling Billy Improvement Study Work
 - Measures at Langstone Roundabout to reduce delay
 - Other measures along the A3023 corridor which seek to reduce car dependence and manage journey time reliability along the corridor.
- 7.94 At the time of writing this report, a confirmation from the Highway Authority of the exact sums recommended to be secured with a legal agreement are awaited.
- 7.95 Had the Local Planning Authority been minded to grant planning permission then the recommended conditions and developers' obligations would have been recommended to be secured with appropriately worded planning conditions and a legal agreement.
- 7.96 In respect of the impacts on the strategic highway network, in particular the A27/Langstone Road/Park Road South junction, the National Highways has confirmed that:
- 7.97 *"we were content with the Paramics base model and its use for forecasting, despite some identified limitations (e.g., MOVA not simulated at A27/Langstone Rd.). Strategic model runs (using Paramics) were undertaken to assess the impact of the four Hayling Island Applications cumulatively on both the SRN and local road network. Linsig models were also provided of the Langstone Interchange for NH's review, these used flows extracted from the strategic modelling.*

We have reviewed both the Paramics and Linsig files and we are satisfied that the presented models demonstrate there will be no adverse impacts on the SRN or on the LRN that could impact on the safe and efficient operation of the SRN. Scenario 4

of the modelling contained all the live Hayling Island Apps cumulatively. Therefore, on this basis, National Highways offer 'No Objection to application APP/21/01351.'

- 7.98 Considering the above position, Officers conclude that, in the absence of objection from the National Highways, refusing the application on the basis of impact on the strategic road network would not be sustainable.

(v) Flood risk and drainage

Flood Risk on site

- 7.99 The site lies on Hayling Island, its western edge around 200m from the western coast of the island. The site lies in present day Flood Zone 1 (low risk). However, the National Flood Map for Planning indicates that in the future, with climate change taken into account, the entire site will be at risk. Although the Environment Agency publish the National Flood Map, they have indicated to the Council that the PfSH 2024 Strategic Flood Risk Assessment (SFRA) provides the most accurate picture of future risk. The SFRA also shows a marked increase in risk with climate change, with the vast majority of the site at risk.
- 7.100 Whichever data is used, tidal flood risk is a key consideration in determining whether development on this site is acceptable.
- 7.101 There is also surface water flood risk on the site. This affects a much lesser area than the identified tidal risk.
- 7.102 The NPPF, at paragraph 170 succinctly summarises the position regarding development in areas at risk of flooding: *'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'*

Need for a Site-Specific Flood Risk Assessment and Sequential Test

- 7.103 The applicant has submitted a Flood Risk Assessment (July 2025) (FRA) which includes a section on the sequential test, which maintains that neither a sequential test, nor an exception test are required to support this application.
- 7.104 At paragraph 6.2.4 of the FRA, the applicant seeks to rely on the exceptions contained in paragraph 175 of the NPPF. This paragraph states that *'the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).'*
- 7.105 The applicant goes on to explain that their FRA *'has demonstrated that no built development is within the surface water flood risk area including access or escape routes and not be in an area at risk of flooding now and in the future. The report has also demonstrated that the site will not be at risk of sea levels rising if the finished floor levels are fixed at least 300mm above the flood level including climate change allowances.'*
- 7.106 The Council does not consider that the exceptions in paragraph 175 of the NPPF

are relevant here, since it is clear that built development within the site boundary, as well as areas of land raising, would indeed be located on an area that would be at risk of flooding in the future. The proposed development is therefore specifically not subject to the exceptions provided by this paragraph (i.e. cases where it is demonstrated that no built development, including land raising is in an area at risk).

- 7.107 The recent Ham Farm appeal supports this view, with the inspector confirming that *'Paragraph 175 clearly states that land raising...should not be used as a means to avoid the sequential test'*.
- 7.108 The consideration of whether development is safe, including through land raising, is a separate consideration from the requirement for or the passing of the sequential test, and is discussed further below.
- 7.109 In any case, although disagreement remains between the Council and the applicant as to whether the sequential test is required, the applicant provided a Sequential Test in January 2025.

Applicant's Flood Risk Sequential Test

- 7.110 Detailed comments on the applicant's Sequential Test were provided by the Planning Policy Officers in February 2025. In summary:
- The documentation demonstrates detailed engagement with the process and indicates a comprehensive review of sites within the parameters set;
 - There are some inconsistencies within the applicant's report with regard to information on individual sites;
 - The Council disagrees with the applicant's conclusions on the availability or suitability of some individual sites as alternatives to the proposed development.
- 7.111 Even if inconsistencies and disagreements were capable of resolution, it is considered that this would not alter the outcome of the test, the purpose of which is to establish whether there are reasonably available alternative sites at lower risk of flooding.
- 7.112 The applicant's sequential test report summarises that *'there are other similarly [sized] sites and sites with a similar capacity identified in the District. It is recognised that some of those may be at lower risk'* (paragraphs 6.27), and *'it is not disputed that there are other sites identified in this assessment which are at a lower risk of flooding'* (paragraph 6.42).
- 7.113 Therefore, neither from the applicant's own work nor from the Council's knowledge of sites in the borough, can the conclusion be drawn that there are no reasonable alternative sites at lower risk of flooding. The sequential test is therefore not passed and the proposal cannot be fully supported in policy terms based on Policy CS15 of the Local Plan, and national policy and guidance on flood risk, in particular paragraph 174 of the NPPF, which states that *'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.'*
- 7.114 Considering recent case law, failure to pass the sequential test is not *per se* a sufficient reason for refusal. The applicant puts forward a similar view at paragraph 6.29 *'In our view, the presence of other reasonably available sites at lower risk of flooding does not indicate that the LPA must refuse the application for planning permission. It is accepted in this case that other sites satisfy the definition of being reasonably available, but this needs to be weighed in the planning balance. So far as the Applicant is concerned, that is an exercise undertaken by others.'*

- 7.115 Whether the proposal is considered acceptable overall, then, may and should also take into account other planning considerations as discussed throughout the Officer's report.

Lack of Exception Test

- 7.116 The applicant has not provided an exception test and does not consider that one is required. The Council disagrees with this view, on the basis that paragraph 177 of the NPPF and the PPG require the test for this type of development in areas at risk.
- 7.117 According to Table 2 in the PPG, the exception test is required for 'more vulnerable' development (such as housing) in Flood Zone 3. While the site lies in Flood Zone 1 in the present day, this increases to Flood Zone 2 and 3 in the future.
- 7.118 To pass the exception test it should be demonstrated that:
a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 7.119 Paragraph 179 of the NPPF is clear that '*Both elements of the exception test should be satisfied for development to be allocated or permitted*'. While an FRA has been submitted which seeks to demonstrate the safety of the development (see further below), it has not been demonstrated that the sustainability benefits of the proposal outweigh the flood risk. It is considered that the sustainability benefits are limited to the provision of market and affordable housing as well as highways improvements which would benefit not only the prospective residents but also existing residents of the nearby areas.

Surface water flooding: drainage proposals

- 7.120 In respect of surface water flooding, the applicant provided a number of revised versions of a Flood Risk Assessment and a Drainage Strategy. In principle, the surface water drainage proposals would include the provision of an attenuation pond and storage crates. Surface water would be further reduced through the use of porous surfacing within parking bays and private drives.
- 7.121 Surface water captured on site would be discharged at a greenfield run off rate to the existing watercourse or directly to the Southern Water network. All surface water would be treated before being discharged. If surface water was to be discharged to the existing watercourse, the condition of the watercourse would be first improved.
- 7.122 At reserved matters stage, the drainage strategy would also be required to include measures to deal with any exceedance flows to improve resilience and minimise risk.
- 7.123 In terms of connection to the Southern Water network, Southern Water commented on the application and confirmed that there would be adequate capacity in the local sewerage network to accommodate the foul flows from the proposed development. It has been noted, however, that no surface water flows (existing or proposed) could be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water. It was also highlighted that no soakaways should be connected to the public surface water sewer.
- 7.124 Therefore, the applicant would be expected to engage with Southern Water before designing the details of the drainage strategy on the site.

Surface water flooding: Lead Local Flood Authority assessment of the proposed drainage proposals

- 7.125 In September 2025, the applicant submitted a Flood Risk Assessment (1140 Rev 4.0 CGV Transport Consultants Ltd 21 July 2025) and a Drainage Strategy (1140 Rev 2.0 CGV Transport Consultants Ltd 24 July 2025).
- 7.126 In terms of surface water flooding on site, the HCC Lead Local Flood Authority (LLFA) was consulted on the application and the revised submission and confirmed that the revised flood risk assessment included updated flood risk mapping following publication of the EA NaFRA2 data earlier this year. Although the areas of identified surface water flood risk has changed, and the assessment within the FRA has been updated, the conclusion of the report remained unchanged.
- 7.127 The LLFA also noted the 1 in 100 year medium risk surface water flood map was considered. Review of the EA surface water flood maps indicated large areas of the site that are subject to low risk of surface water flooding. This flood risk was not satisfactorily taken into account and should have been considered when determining the site layout.
- 7.128 Surface water attenuation features were requested to be located outside of identified areas of flood risk as, in the event of surface water flooding, the proposed attenuation basin would have been inundated and the proposed drainage system would not operate as designed.
- 7.129 This has been raised as a concern in the original comments from the LLFA and this issue remains outstanding.
- 7.130 Based on the review of the existing greenfield runoff calculation and the proposed post development causeway flow hydraulic calculations, the LLFA concluded that the proposed discharge rate for the site was not acceptable. The greenfield runoff calculation used the site area of 2.48ha whereas the hydraulic calculations used an estimated total impermeable area of 1.189ha. As the areas used in the calculations differed, the pre and post development discharge rates were not comparable and therefore the applicant did not demonstrate that the discharge rate from the site would not be increased as a result of the development.
- 7.131 The LLFA noted that the drainage design was not in accordance with best practice or the National Standard for SuDS referenced in paragraph 7.2.7 of the above drainage strategy report in that only runoff from impermeable areas was considered in the hydraulic calculations. The LLFA encouraged a catchment based approach to drainage design in which all areas that are likely to contribute to the flow in the drainage network are considered. It was requested that runoff from permeable areas including gardens, shared green spaces and SuDS features should also be considered.
- 7.132 Furthermore, the LLFA noted that there were discrepancies between the drainage layout and the hydraulic calculations. The LLFA considered that the hydraulic calculations were not representative of the current design.
- 7.133 An allowance for climate change was not applied to the 1 in 30 year event in the simulation settings within the hydraulic calculations. The allowance for urban creep was reduced from 10% (as previously proposed) to 5%. No justification was provided for this change in value.
- 7.134 The simulation results indicated flooding resulting from the 1 in 100 year design event. It was not clear whether this flood volume could be managed within the site

without risk of flood to property or whether the attenuation basin was adequately sized. This concern was raised in the original LLFA comments and remained outstanding.

- 7.135 Given changes to the EA flood risk mapping, changes to standards, previously highlighted concerns which remained outstanding and the inappropriate drainage design calculations provided, the LLFA did not agree the site layout and the scale of the development until further assessment on the surface water flood risk and surface water drainage design was concluded.
- 7.136 The LLFA also confirmed that the submitted flood risk assessment and drainage strategy reports should not be considered as approved documents and a detailed drainage strategy for the site would be required at reserved matters stage. The LLFA considered that a change to the proposed development scale and or layout could be required to resolve the above concerns.
- 7.137 In response to these comments, a revised Drainage Strategy (1139 Rev 3.0 CGV Transport Consultants Ltd October 2025) and a Flood Risk Assessment (1139 Rev 5.0 CGV Transport Consultants Ltd October 2025) were submitted. However, the LLFA commented that the revised information did not address their previous concerns and their recommendation remain unchanged.
- 7.138 The LLFA did not raise an objection, however, recommended that the number of dwellings is not approved at this stage due to the fact that an acceptable drainage strategy may require additional land leaving insufficient land to acceptably accommodate the remaining elements of the proposed development. Therefore, Officers conclude that the submission does not successfully demonstrate that up to 60 dwellings together with associated, policy compliant infrastructure, can be satisfactorily accommodated on the application site. Therefore, the application is not considered acceptable in terms of surface water drainage.

On-site tidal flood risk

- 7.139 Officers note that, as explained above, parts of the application site are in a future risk of tidal flooding. In line with the NPPF, this circumstance disengages the “tilted balance” in favour of sustainable development.
- 7.140 Notwithstanding the matter raised above in respect of the Sequential and Exception Tests, in respect of tidal flood risk on site, the submitted Flood Risk Assessment sets out available options for dealing with the risk.
- 7.141 The first option includes a reliance on flood defences being provided by others. This is on the basis of land levels in the area which suggest that, in the event of tidal flooding, properties in Saltmarsh Lane would flood first. Therefore, this option assumes that the Environment Agency or Coastal Partners would implement adequate flood defences in the next few years, which would then also protect the development site from flooding.
- 7.142 The second option, in a situation where no flood defences are provided to protect properties in Saltmarsh Lane and which the submitted Assessment highlights as the most feasible, includes raising of land levels to achieve a minimum finished floor level in properties at 4.700m AOD, with the external ground levels raised accordingly.
- 7.143 In the case of both options not being possible, the third option would include raising the proposed dwellings above the ground with voids underneath to allow the free passage of water. This would require flood proofing of properties up to 4.700m AOD

by incorporating, inter alia, concrete flooring with waterproof membranes, waterproof walls, sealed service ducts and high electrical sockets.

- 7.144 Coastal Partners were consulted on the application and raised an objection to the previously submitted Flood Risk Assessment which was considered unsatisfactory due to a lack of consideration of appropriate climate change allowances, the assumption of a design life of the development to be 50 years rather than 100 years, and the absence of clarification of how flood risk would be mitigated on site. Consequently, it was concluded that the Flood Risk Assessment did not adequately demonstrate that the development will be safe for its lifetime.
- 7.145 However, following the submission of the revised Flood Risk Assessment and Drainage Strategy, the objection has been withdrawn. This is on the basis of the appropriate climate change allowances being taken into account and a clear identification of proposals designed to address the risk. As such, in terms of future on-site tidal risk to the proposed dwellings, Coastal Partners concluded that the presented information appropriately considers current and future tidal flood risk at the site.

Off-site tidal flood risk

- 7.146 Both the Council's Strategic Flood Risk Assessment (SFRA) and the National Flood Map for Planning show that the single access road to Hayling Island, the A3023, is at risk of flooding, with significant increases expected in extent, depth and hazard in the future (see Part 4 – Havant Report, paragraphs 3.2.20- 3.2.24, and Appendix B maps). The Coastal Partner's Hayling Island Coastal Management Strategy (Option Development Unit, ODU16 which covers the area from Langstone Bridge Carpark to Langstone Bridge and includes the northern part of the A3023 access road onto the island) has identified that without defences in place the flood cell could merge with adjacent flood cells to the east and west during larger return period events. In this scenario, safe access and egress on to and off the island would be severely compromised.
- 7.147 The SFRA (Part 4 – Havant Report, paragraph 6.11.8) recommends that this information should be taken into account in considering the suitability of further development on Hayling Island, with respect to tidal flood risk.
- 7.148 It suggests that Havant Borough needs to be satisfied that proposals can be regarded as safe in the event that vehicular access to the mainland is not achievable.
- 7.149 While a Flood and Coastal Erosion Risk Management Strategy for Hayling Island has been developed by the Council's Coastal Partners and has been approved by the Environment Agency, it must be noted that funding for the schemes within it, which may mitigate the risk discussed above, has yet to be identified and is not guaranteed.
- 7.150 Paragraphs 163 and 164 of the NPPF are clear that the need to mitigate and adapt to climate change should be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.
- 7.151 New development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change, and when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures.
- 7.152 The application site was amongst the sites reviewed in the Council's Strategic Flood Risk Assessment (Local Plan Sites), which was prepared to consider the flood risk to sites being considered for allocation in the emerging Local Plan. For the application

site, the Sites SFRA notes that *'Tidal flood risk to the single access onto Hayling Island is significant. This would make voluntary movement of people on or off the island as well as emergency access by road at the time of a flood event impossible. The Council does not consider that this risk can be satisfactorily addressed by the development, or that the risk is outweighed by any notable sustainability benefits to the community, even when taking into account the contribution the site could make to meeting housing need.'*

- 7.153 Under these circumstances, the strategy for the emerging Local Plan is to make no development allocations on Hayling Island. While that plan and the strategy within it hold limited weight in the determination of planning applications at this time and therefore should not be relied upon in the determination of this application, it is considered that the evidence and the recommendations within the evidence base, including the SFRA, are a material consideration. There is no information within the applicant's submission, nor evidence that the Council holds which indicates that the risks identified by the SFRA have been considered or mitigated, and it is considered unlikely that this scheme in isolation could address those risks.
- 7.154 Coastal Partners Officers have recommended that the LPA should formally consider the emergency planning and rescue implications of new development in making their decision in light of the issues highlighted by the Hayling Island Coastal Management Strategy.
- 7.155 In light of the above considerations, in particular the fact that there is no guarantee that a sea defence scheme can be provided to protect the A3023 from flooding and to maintain safe access to and egress from Hayling Island in the near future, and the inability of the proposed development to provide measures to ensure that the development and its residents are safe in the event that vehicular access to and from the mainland is not achievable, the application fails on the grounds of flood risk. This is considered further in the Planning Balance section of this report.
- 7.156 Referring back to the presumption in favour of sustainable development, the NPPF is clear in Footnote 7 that "areas at risk of flooding and coastal change" are a special consideration that disengages the "tilted balance" in relation to the presumption in favour of sustainable development. Officers note that there is no mitigation in place to off-set the identified risk, therefore it is concluded that "tilted balance" is disengaged in this case.

(vi) Other considerations

Provision of affordable housing

- 7.157 The submitted planning statement confirms that the proposed development would provide a total of 18 affordable homes, equating to 30%. The affordable homes would be spread throughout the site and be integrated with the private units.
- 7.158 The Council's Housing Manager commented on the proposal and agreed with the number of affordable homes proposed on site. It has been noted that the final provision would be expected to include a tenure split 70% / 30% in favour of rented units, either Affordable Rent or Social Rent, with the remainder of the new affordable homes offered as Shared Ownership. Whilst concern has been raised over the lack of provision of 4-bedroom dwellings, this could be addressed at reserved matters stage. However, given the pressing need for all forms of social housing, the absence of 4-bedroom units would not in itself justify a refusal of the application.
- 7.159 Had the Local Planning Authority been minded to grant planning permission then the appropriate provision of affordable housing on site would have been recommended to

be secured with a legal agreement.

Provision of education

- 7.160 The HCC Children's Services were consulted on the application and commented that the proposal would be expected to generate a total of 18 additional primary age children and 13 additional secondary age pupils (based on a rounded figure of 0.3 primary age children per new dwelling and 0.21 secondary age children per dwelling, as derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary age children on those developments).
- 7.161 The HCC Children's Services noted that the development site would be served by Mill Rythe Infant School, Mill Rythe Junior School and The Hayling College. Contrary to third party comments HCC Children's Services have confirmed that all three schools are forecasted to have capacity, therefore the HCC does not require contributions towards Primary or Secondary education provision.

Provision of Health Care

- 7.162 The NHS Hampshire and Isle of Wight Integrated Care Board (ICB) was consulted on the application and have commented that the proposal would create an estimated population of 137 new residents within the development based an average household size of 2.28. The prospective residents would most likely wish to register with the Elms Practice and Waterside Medical Practice due to their proximity to the site.
- 7.163 The ICB confirmed that the current combined medical centres providing primary care have insufficient capacity to absorb the increased patients arising from the proposed development, without a planned increase in patient infrastructure, for example by refurbishing space into more fit for purpose facilities, which would help to accommodate anticipated population growth. A medium-term option would be to expand the health centre footprint and a long-term option would be to relocate to a new site and new building. Therefore, a contribution of £41,281 towards increasing primary care infrastructure would be necessary to make the application acceptable in planning terms.
- 7.164 Without the contribution to increase the physical capacity, the proposed development will put too much strain on the said health infrastructure, putting people at risk. Waiting times would increase and access to adequate health service would decline, resulting in poorer health outcomes and prolonged health problems. Such an outcome is not sustainable as it will have a detrimental socio-economic impact.
- 7.164 Had the Local Planning Authority been minded to grant planning permission then this financial contribution would have been recommended to be secured with a legal agreement.

Community Infrastructure Levy

- 7.166 Relevant CIL rates are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough.
- 7.167 The CIL Team have confirmed that this application would not be CIL liable, but any subsequent full or reserved matters application would be.

8. **Planning balance and conclusion**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The Council cannot currently demonstrate a 5 year supply of deliverable housing sites, therefore, relevant policies for the supply of housing cannot be considered up-to-date.
- 8.3 The site is a greenfield site where planning policies restrict built development in principle. Whilst the Council cannot currently demonstrate a 5 year housing land supply and the policies in its Local Plan relevant to the delivery of housing can be considered out of date, the site is located within an area under a future risk of tidal flooding. On this basis, the tilted balance is disengaged.
- 8.4 The scheme would deliver 60 dwellings which would make a meaningful contribution towards meeting the current shortfall in housing supply in Havant.
- 8.5 The development could also provide a policy compliant mix of social housing, with 18 affordable units. This would need to be secured within a legal agreement. There is a particular need for social housing in the Borough, thus this attracts substantial weight. Construction works would create a significant level of employment, both locally and beyond. Therefore, provision of new housing would result in a significant social and economic benefit in favour of the application.
- 8.6 Officers conclude that the countryside location of the development would result in a transformation from a rural to built-up setting that would have an impact on the character and appearance of the site and the area. This would be largely mitigated with on-site and boundary planting and no key views would be affected. Thus, the overall impact would be localised and therefore only moderately harmful.
- 8.7 Furthermore, the Highways Authority and National Highways do not object to the application on the basis of material harm in relation to highway safety or the capacity of the local road network, including cumulative highways impacts on the strategic road network. Instead, financial contributions are requested to offset development impacts on the local and strategic road network by providing a suite of highways improvements. Some of the improvements would go beyond offsetting the development impacts and benefitting the prospective residents but would also benefit existing residents and the users of the road network. Therefore, these improvements would be considered to be a public social benefit and would attract a moderate weight in favour of the application.
- 8.8 The proposed development could provide acceptable mitigation for Brent Geese and Waders in a form of a functional habitat for bird species on the land at Mill Rythe, which is supported by the Council's Ecologist. As this provision is necessary to off-set the impacts of the development itself, only a limited weight in favour of the development can be attached to it. However, the proposal would also result in the loss of existing reptile habitats and, given the compact layout of the development with little green open space, there is insufficient information to demonstrate that an appropriate compensatory habitat could be accommodated within the site together with the 60 dwellings and associated infrastructure (or that alternative off-site provision is available to the development). The uncompensated loss of protected species loss of habitat attracts substantial weight against the development.
- 8.9 In terms of foul and surface water, a drainage strategy has been provided for the site.

The Lead Local Flood Authority commented that, given the available detail, the layout and number of dwellings should not be approved as the drainage strategy for the site requires further refinement which may trigger the need to reduce the number of dwelling. On this basis, Officers conclude that the submission does not sufficiently demonstrate that the site can satisfactorily accommodate 29 dwellings together with an associated, policy compliant, infrastructure. This attracts a moderate weight against the development.

- 8.10 In terms of tidal flood risk on-site, sufficient information has been provided to demonstrate that the development could be made safe into the future with land raising. Coastal Partners did not object to the principle of this proposal.
- 8.11 In terms of tidal flood risk off-site, relevant evidence base for the emerging Local Plan is clear, without appropriate sea defences, access to and egress from Hayling Island will be severely compromised. Currently, there are no plans to develop a strategy to provide the required sea defences. There is also no funding to start any initial work. The development itself cannot provide appropriate mitigation to address this risk. Consequently, the development cannot be regarded as safe in the event that vehicular access to the mainland is not achievable. This weighs heavily against the development.

Conclusion

- 8.12 Drawing the above considerations together, Officers recognise that the proposed development raises conflicting issues. On the one hand, it would make a modest but important contribution towards the Council's much needed housing supply, at the time when the Council cannot demonstrate a 5 year housing land supply. The construction phase would provide an opportunity to boost the local construction industry, and the prospective residents would likely contribute to the vitality and viability of local centres.
- 8.13 On the other hand, there is a great concern over the safety of the prospective residents of the development due to significant tidal flood risk which would restrict access to and egress from Hayling Island, in particular there is great concern over access for emergency vehicles. At this time, there are no plans to provide appropriate sea defences and there is no certainty that this development could be made safe in the future. There is also concern over the uncertainty over the actual land required to accommodate an acceptable drainage strategy and the developable land left that could accommodate the proposed number of houses without harmful visual and landscape impacts. Finally, there is also a concern over the uncompensated loss of protected species habitats.
- 8.14 Planning decisions must be balanced. Officers conclude that the consequence of the unmitigated flood risk, coupled with the uncertainty of achieving an acceptable drainage strategy and the uncompensated loss of habitat would be such as to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the National Planning Policy Framework taken as a whole. Therefore, the application is recommended for refusal.

RECOMMENDATION:

That the Development Manager be authorised to **REFUSE PERMISSION** for application APP/21/01351 for the following reasons:

1. The Council's Strategic Flood Risk Assessment (SFRA) and the National Flood Map for Planning show that the single access road to Hayling Island, the A3023, is at risk of flooding, with significant increases expected in extent, depth and hazard in the

future. Currently, there are no plans and no guarantee that funding will be available to provide a sea defence scheme to protect the A3023 from flooding and to maintain safe access to and egress from Hayling Island in the near future. The proposed development cannot provide measures to ensure that its residents are safe in the event that vehicular access to and from the mainland is not achievable. Therefore, the proposal cannot be regarded as safe in the event that vehicular access to the mainland is not achievable and is considered contrary to Policy CS 15 of the adopted Havant Borough Local Plan (Core Strategy) (March 2011) and the National Planning Policy Framework.

2. Insufficient information has been submitted to demonstrate that the proposed development can be satisfactorily accommodated on site without harm to protected species. In particular, the proposed development would remove the vast majority of reptile habitat, and no details of a suitable alternative compensatory habitat has been provided, namely there is no clarity over the size of any compensatory reptile habitats needed to be accommodated within the site. Whilst the Illustrative Masterplan indicates an open area within the central part of the site and narrow strips of land on the edges of the site, the remainder of the site accommodates a compact built form. At this outline stage, there is insufficient information to determine the exact car parking provision, widths of roads, footpaths and associated road layout features, such as turning places. Therefore, there is no certainty that the final built development could be contained within its current extent without the need for more land. No detail of the central open space has been submitted to demonstrate that this area would be appropriate as a reptile habitat. As a result, the submission has not demonstrated that the application site could satisfactorily accommodate the proposed number of dwellings, together with associated infrastructure, and the compensatory reptile habitat. Whilst off-site habitat could be considered acceptable, no details of such provision have been provided. The proposal is therefore contrary to the provisions of Policies CS 11 and DM8 of the adopted Havant Borough Local Plan (Core Strategy) (March 2011) and the National Planning Policy Framework.
3. Insufficient information has been submitted to demonstrate that the proposed development could be satisfactorily accommodated on site without causing unacceptably harmful visual and landscape impacts. In the absence of sufficient detail demonstrating the necessary surface water drainage measures required on the site, it is not possible to conclude that the remainder of the site would be able to acceptably accommodate the proposed number of dwellings together with policy compliant associated infrastructure. Given the sensitive, rural-edge location and the urban grain and building heights surrounding the application site, increased densities or building heights (to compensate for the land loss to accommodate drainage features) would not be considered in accordance with the provisions of Policy CS 16 of the adopted Havant Borough Local Plan (Core Strategy) (March 2011) and the National Planning Policy Framework.
4. Binding arrangements are not in place to secure the following aspects of the development, as a result of which it is not considered that the development could be undertaken in a satisfactory manner:
 1. Affordable Housing
 2. S106 monitoring fee
 3. Nitrates mitigation
 4. Solent Recreation Mitigation Strategy contribution;
 5. Payment towards provision of Community Worker;
 6. SUDS bond
 7. A contribution towards Health of £41,281
 8. Landscape and Ecological Management Plan (Waders and Brent Geese)
 9. Common Parts Management;
 10. Management Company and Management Plan

11. Connection onto Hayling Billy and a financial contribution towards connection works on Hayling Billy side

12. Travel Plan

13. Highways:

(a) Implementation of site access works subject to approval and delivery via a Section 278 legal agreement;

(b) Financial contributions towards:

- widening of footway along eastern side of West Lane;
- the provision of tactile paving across Glebe Close junction with West Lane;
- widening of footway on the northern side of the Saltmarsh Lane/West Lane junction;
- widening of the A3023 adjacent to Brights Lane and provision of a refuge island;
- and
- West Lane traffic calming improvements;

(c) Strategic Highway improvements - a transport contribution towards the cumulative harm of the development to mitigate its impact on the A3023 with the monies secured towards:

- Delivery of the Hayling Billy Improvement Study Work;
- Measures at Langstone Roundabout to reduce delay; and
- Other measures along the A3023 corridor which seek to reduce car dependence and manage journey time reliability along the corridor.

The carrying out of the development in the absence of such provision would result in an unsatisfactory and unsustainable form of development having due regard to Policies CS1, CS7, CS8, CS9, CS11, CS13, CS15, CS16, CS19, CS20, CS21, DM13 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011; Policies DM20, DM23 and DM24 of the Havant Borough Local Plan (Allocations) 2014; the Conservation of Habitats and Species Regulations 2017 (as amended); and the National Planning Policy Framework.

Appendices:

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| (A) | Site Location Plan |
| (B) | Illustrative Masterplan |
| (C) | Parameters Plan |
| (D) | Access Arrangements |
| (E) | Brent Geese & Wader Strategy plans |
| (F) | Flood Risk Mapping |