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09/09/2026

Dear Sir / Madam,

Re. Building a Better Future Plan – Regulation 19 Consultation

This letter is submitted by Gladman Developments Limited (Gladman) in response to the Regulation 19 consultation on Havant Borough Council's Building a Better Future Plan.

Our current submissions build on the representations that we provided at the Regulation 18 consultation stage, through which we highlighted several soundness concerns and objections to the Council's emerging proposals. Having now reviewed the Regulation 19 version of the Plan, as presently drafted **we maintain our previous representations and these objections in full**.

Given the limited changes made between the Regulation 18 and Regulation 19 versions of the Plan, the matters raised in our previous representations remain relevant and, in our view, have not been adequately addressed through the publication version of the Plan.

Accordingly, we do not consider it necessary to repeat our earlier representations in detail within this submission. Instead, we rely upon our earlier representations, namely the submissions provided in response to the Regulation 18 consultation (a copy of which is enclosed), and submit that they should be treated as forming part of our Regulation 19 representation for the purposes of the examination of the Plan.

While we maintain our previous representations and objections in full, we wish to supplement those representations with the following comments.

National Planning Policy Framework

On 17 August 2026, the Government published a new version of the National Planning Policy Framework (the Framework). While it is acknowledged that under the transitional arrangements detailed within its Annex A, paragraph 8 the Council's emerging Local Plan would be examined under the December 2024 version of the Framework (should it be submitted for examination by 31 December 2026), attention is drawn to Annex A, paragraph 2 of the new Framework.

Of relevance here is that from the date of the publication of the August 2026 Framework, any development plan policies (or parts of those policies) which are *'… materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The*

only exception to this is where they have been examined and adopted or made against this Framework.'.

We recommend, therefore, that modifications should be made to the Plan to resolve any inconsistencies with the new Framework identified during the consultation and examination process.

Development Strategy and Hayling Island

Policy 1 (Development Strategy) is said to give spatial expression to the Council's vision for the Plan. In particular, part a) of the policy under heading of 'sustainable growth' states that development allocations and policies in the Plan will achieve the overarching vision by *'positive planning to meet local development needs, in particular for affordable and market housing as well as employment, as far as is sustainable within environmental and infrastructure limits'*.

The supporting text to Policy 1, at paragraph 2.39, says that the pattern of development that results from the development strategy is focused on *'… long-term sustainable brownfield and greenfield sites on the mainland of the Borough only.'*

In respect of Hayling Island, paragraph 2.39 then goes on to explain that greenfield land on the island is not being put forward for development, primarily on the basis of flood risk, which is advanced will increase significantly with climate change, and further states that "*Due to the risk to the single access road on and off the island, greenfield sites on the island, even where they may not themselves be at risk, are considered unsustainable in the long term*".

As detailed in our Regulation 18 representations, we remain of the view that the Council's proposed development strategy, including its treatment of greenfield development on Hayling Island, is not justified or sound as presently prepared. We do not believe there is any basis for directing further greenfield development away from Hayling Island as a result of the risk of flooding associated with the A3023 Langstone Bridge, as the emerging Local Plan contends.

In this respect, and as the Council are aware, this issue has recently been explored through Gladman's appeal for Land off St Mary's Road, Rook Farm, with the Inspector concluding (paragraph 19) in their decision that:

> *'… the risk of flooding on Langstone Bridge is low and the risk of a requirement for emergency care being required which is not on the island is also low. Taken together, the overall adverse effect of the risk of flooding is, at most, limited. The proposal complies with policy CS15 of the CS and the Framework, which together require that new development should not be at risk of flooding nor increase the risk of flooding elsewhere. Accordingly, flood risk is not a strong reason for refusal in respect of footnote 7 of the Framework, and I return to this in the planning balance.'*

In alignment with the findings of the appeal decision on this subject, we do not believe the low risk of flooding to the A3023 Langstone Bridge and the low risks this would pose to future residents of the Land off St Mary's Road site is a justifiable reason for the site's omission as an allocation in the emerging Local Plan or for restricting further greenfield development in this part of the borough.

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Moreover, the Inspector's decision letter (a copy of which is enclosed) found that Hayling Island can be considered to represent a sustainable location which provides services and facilities (including public transport options) to support future development. In this respect, the appeal site itself, Rook Farm, was considered by the Inspector to be *'… very well located for access to a wide range of services and facilities'* (paragraph 20), with the appeal decision also finding that '*…overall, residents would have a genuine choice of sustainable transport modes for day-to-day needs which would limit the need to travel*' (paragraph 21).

With this being the case, and with reference to our Regulation 18 representations, we also question the statement that concludes paragraph 2.39, which states the "*This pattern of development (inclusive of the proposal not to make greenfield allocations on Hayling Island) also aligns with the strategic aim to ensure good accessibility and modal choice*".

The decision to direct greenfield development away from Hayling Island forms part of strategy that will meet just 45% of the borough's overall housing need during the plan period, with Policy 6 establishing that provision will be made for at least 7,087 new dwellings across the borough up to 2043, averaging 337 dwellings per annum. This would in turn result in a shortfall of housing delivery over the plan period of 8,735 homes when measured against the borough's objectively assessed housing need (based on the local housing need – 2024 standard method).

Paragraph 2.107 of the Plan explains that the proposed housing requirement for the Plan is 'capacity based' and established based on the level of housing that the can be delivered within the plan period having regard to the identified constraints and limited land availability. A 'no stone unturned' approach is said to have been adopted in seeking to meet as much housing need as 'sustainably possible' through the Plan.

However, with reference to Hayling Island, we do not believe it can be said that this approach has been followed, or that in turn Policy 6 and the Plan's spatial strategy are positively prepared, justified or consistent with national policy. Paragraph 11b) of the December 2024 Framework advises that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, unless i) the application of Framework policies that protect areas of particular importance provide a strong reason for restricting the scale, type and distribution of development in the plan area, or b) the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. We do not believe either paragraph (i) or (ii) apply such as to support the housing requirement proposed in Policy 6 or the emerging Local Plan's development strategy.

With reference to the foregoing, we would also observe that the Plan proposes different approaches for greenfield sites outside of settlement boundaries on Hayling Island and sites that fall within their confines. In this regard, part b) of Policy 27 (Flood Risk) states that *'planning permission will not be granted for a net increase in dwellings or residential institutions outside of the defined settlement boundary, even if the site itself is not at risk of flooding, given the risk to the access route to and from the island'*.

Such an approach is not least, in our view, somewhat contradictory, as the Plan (under Policy 27) appears to be restrictive of development outside of Hayling Island's settlement boundaries yet permissive of development within them, which could hypothetically come forward

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unabated, despite the perceived concerns of the flood risk posed to the A3023 Langstone Bridge applying in both circumstances.

Conclusion

For the reasons set out in these and our previous representations, we do not presently consider the Plan to meet the tests of soundness set out in the Framework. As presently prepared, we consider the proposed development strategy, from which is derived the intended housing requirement and a restriction on greenfield development on Hayling Island, to be unjustified, resulting in the exclusion of sustainable, available and achievable housing sites without a justifiable basis.

We would strongly recommend that the Council reconsider its proposed development strategy to ensure that the Plan is positively prepared, justified and effective. This includes exploring opportunities to accommodate development on Hayling Island, which considering the above-mentioned appeal decision and the case that has been for this strategy choice, we believe clearly warrants further examination.

In this context, and as demonstrated through our planning application submission and appeal decision, we submit that Land off St Mary's Road offers a suitable location for development now and is available, achievable and deliverable, and therefore should be allocated for development in the Plan. In this respect, we would also refer to Section 5.2 of our Regulation 18 representations, which discusses the appropriateness and sustainability of the Land off St Mary's Road site.

We are grateful for the opportunity to comment on the publication version of the Building for a Better Future Plan. We expressly reserve the right to make further written and oral representations on any matter relevant to the legal compliance or soundness of the Plan during the examination process and respectfully request the right to explore the issues raised in these representations through participation in the Examination in Public process.

Should you have any questions in relation to this representation, please do not hesitate to contact me on the details provided below.

Yours sincerely,



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Enc:

- Gladman Developments Ltd Regulation 18 Representation
- Land off St Mary's Road, Hayling Island Appeal Decision (ref. 6004299)

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Havant Building a Better Future Plan

Local Plan Regulation 18 Consultation

July 2025

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1 INTRODUCTION

1.1 Context

1.1.1 Gladman Developments Ltd. (Gladman) welcome the opportunity to comment on Havant Borough Council's Building a Better Future Plan (BBFP or 'Local Plan') Regulation 18 consultation. Building on the Council's 2022 Discussion Paper, the consultation provides more detail on the proposed direction of authority's emerging Local Plan proposals, prior to Regulation 19 consultation in Autumn/Winter 2026.

1.1.2 Gladman specialise in the promotion of strategic land for residential development and associated community infrastructure and have considerable experience in contributing to the Development Plan preparation process having made representations on numerous planning documents throughout the UK alongside participating in many Examinations in Public.

1.1.3 As the Council are aware, Gladman are actively promoting Land off St Mary's Road (Rook Farm), Hayling Island for residential development. We were also active participants in the preparation of the Council's now-withdrawn Local Plan (Havant Borough Local Plan 2036), submitting representations at each formal consultation stage, and taking part in the subsequent Local Plan Examination in Public.

1.1.4 Through these representations, Gladman have highlighted a number of concerns over the policy and strategy choices that are currently being advanced by the authority, and whether these are soundly based in accordance with the requirements of the National Planning Policy Framework. In particular, we do not believe the Local Plan is sufficiently aspirational in seeking to meet the borough's development needs, or that that the direction of the Council's strategy in respect of Hayling Island is robustly evidenced and justified.

1.1.5 Gladman maintain that Land off St. Mary's Road, Hayling Island, represents a suitable and sustainable location for further residential development. The site is available, suitable, and deliverable for housing, and we would actively welcome further discussions with the Council in this respect in due course.

2 LEGAL COMPLIANCE

2.1 Duty to Cooperate

2.1.1 Under the Duty to Co-operate (DtC) engaging with prescribed bodies on relevant strategic and cross boundary matters is an important part of the plan making process.

2.1.2 The Framework includes an expectation that local planning authorities will cooperate including through the preparation of Statement(s) of Common Ground (SoCG) which are required to demonstrate that a plan is based on effective cooperation and has been based on agreements made by neighbouring authorities where cross boundary strategic issues are likely to exist. Planning guidance sets out that local planning authorities should produce, maintain, and update one or more Statement(s) of Common Ground (SoCG), throughout the plan making process[1].

2.1.3 The SoCG(s) should provide a written record of the progress made by the strategic planning authorities during the process of planning for strategic cross-boundary matters and will need to demonstrate the measures local authorities have taken to ensure cross boundary matters have been considered and what actions are required to ensure issues are proactively dealt with e.g. unmet housing needs.

2.1.4 In the context of the DtC, Gladman note that arrangements have been made with Winchester City Council (WCC) to accommodate a portion of the Council's needs. In this regard, paragraph 2.85 of the BBFP explains that WCC's Submission Plan includes an unmet need allowance of 1,900 dwellings, of which 1,330 dwellings would be apportioned to Havant Borough.

2.1.5 Whilst noting this arrangement, it is imperative that the Council does all that it can to accommodate its own housing needs within its own administrative boundaries. To this end, as presently proposed, we do not believe that the Council has sufficiently demonstrated that it is unable to do so, particularly with reference to the role that

[1] PPG Reference ID: 61-001-20180913

further development on Hayling Island could play in meeting these requirements. We would encourage to revisit its position on this subject.

2.2 Sustainability Appraisal

2.2.1 In accordance with Section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA).

2.2.2 Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, SA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the Local Plan's proposals on sustainable development when judged against reasonable alternatives.

2.2.3 The Council should ensure that the results of the SA process clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed, and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the LP decision-making and scoring should be robust, justified and transparent.

2.2.4 As will be seen through the comments that are provided in Section 4 of these representations below, as presently drafted Gladman have a number of concerns with the direction of the Council's emerging policy choices for the Building a Better Future Plan. In some instances, these concerns overlap with the assessment of policy choices through the SA process, given a reliance on the same underpinning assumptions and rationale.

2.2.5 Owing to these concerns, we do not believe that the SA currently provides an adequate assessment of the authority's emerging proposals or supports the policy choices that have been made.

2.3 Habitats Regulations

2.3.1 A Local plan may require a Habitats Regulations Assessment (HRA) if it is considered likely to have significant effects on habitats, sites or species located in the local

planning authority's area or in its vicinity, as set out in the Conservation of Habitats and Species Regulations 2017.

2.3.2 Local Plans should undertake a Screening Assessment at the earliest opportunity and where the Screening Assessment shows potential adverse impacts to a European Site an Appropriate Assessment (AA) will be required. As set out in the 'People over Wind' European Court Judgement, it is not appropriate to consider mitigation measures during the screening process and these should only be considered through the AA.

2.3.3 The Habitats Regulations Assessment (HRA) that accompanies the current Building for a Better Future consultation describes potential effects on European Sites in connection with the Local Plan's emerging proposals, discussing mitigation measures to address these impacts accordingly. These include potential effects arising from the loss of supporting habitat for brent geese and waders, recreational disturbance, and impacts arising through air quality and water resources pathways.

2.3.4 In respect of the first of these topics, the HRA concludes that the potential impacts of development on the borough's network of Solent Waders and Brent Goose Strategy (SWBGS) sites could be appropriately mitigated by applying the principles of emerging Local Plan Policy 25: Solent Waders and Brent Goose Strategy Sites. We welcome this acknowledgement, in the context of Gladman's development proposals for Rook Farm and the brent goose mitigation strategy that has now been prepared this site.

3 NATIONAL PLANNING GUIDANCE

3.1 National Planning Policy Framework

3.1.1 The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these should be applied within which plan-making and decision-taking. The Framework requires plans to set out a vision and a framework for future development and seek to address the strategic priorities for the area. Local Plans should be prepared in line with procedural and legal requirements and will be assessed on whether they are considered 'sound'.

3.1.2 The Framework sets out four tests that must be met for Local Plans to be considered sound. In this regard, we submit that in order to prepare a sound plan it is fundamental that it is:

- **Positively Prepared** – The Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified** – the plan should be an appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base.
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

3.1.3 The Framework reaffirms the Government's commitment to ensuring up-to-date plans are in place which provide a positive vision for the areas which they are responsible for, to address housing, economic, social and environmental priorities and to help shape the development of local communities for future generations.

3.1.4 To support the Government's continued objective of significantly boosting the supply of homes, it is important that Local Plans provide a sufficient amount and variety of

land that can be brought forward, without delay, to meet housing an authority's housing needs in full.

3.2 Written Ministerial Statement

3.2.1 The need to plan for the sufficient delivery of homes is affirmed in the Written Ministerial Statement (WMS) given by the Deputy Prime Minister, and Secretary of State for Housing, Communities and Local Government, Angela Rayner on 30 July 2024.

3.2.2 Entitled "Building the Homes We Need", the WMS reaffirms that the country is in "*the most acute housing crisis in living memory*" and is clear in its conclusion that "*there is no time to waste. It is time to get on with building 1.5 million homes*".

3.2.3 These are material considerations for both plan making and decision making, and clearly set the tone and direction of the Government's ambitions for the planning system in respect of housing delivery.

4 BUILDING A BETTER FUTURE PLAN

4.1 Background

4.1.1 As discussed in the introduction to these submissions, the preparation of the Council's Building a Better Future Plan (BBFP) follows the withdrawal of the authority's earlier Havant Borough Local Plan 2036.

4.1.2 Owing to concerns raised by the Inspectors appointed to oversee the Local Plan's Examination in Public (EiP) and additional work needed to address these, the Inspectors recommended that the Plan be withdrawn. This was subsequently acknowledged by the authority via its Statement of Fact on 16th March 2022.

4.1.3 Following the withdrawal of the Local Plan, the Council moved to prepare a Housing Delivery Position Statement (HDPS), setting out how planning applications not in accordance with the authority's Development Plan would be considered in the context of the Council's housing land supply position.

4.1.4 The HDPS identified 6 Decision Making Principles for determining such proposals; Principle 1 concerned the application of the tilted planning balance (including Habitats Regulations), Principle 2 comprised a list of sites where the Council accepted the principle of development, with Principle 3 describing how the authority would consider assessment of summertime transport impacts on Hayling Island (a matter that stemmed from the withdrawn Local Plan's Examination).

4.1.5 Following the decision to approve the Building a Better Future Plan for Regulation 18 consultation, a corresponding decision was taken to revoke the HDPS as a material consideration for decision-making purposes, as confirmed at the Council's 19th March 2025 Full Council Meeting.

4.1.6 In the context, whilst ultimately a matter for the development management process paragraph 49 of the Framework describes how local planning authorities may give weight to relevant policies in emerging plans according to their stage of preparation (the more advanced, the more weight may be given), the extent to which there are unresolved objections to relevant policies (the less significant the objections, the

more weight that can be applied), and the degree of consistency of relevant policies with policies in the Framework (the more consistent, the more weight that can afforded).

4.1.7 In this respect, the weight to be afforded to the BBFP in decision-making would have to be assessed against these requirements, noting that the emerging Local Plan is still at an early stage of preparation.

4.2 Building a Better Future Plan: Proposed Policies

4.2.1 The remainder of this section has been structured to respond to the specific policies that have been proposed as part the current Building a Better Future Plan consultation. Within the BBFP document, policies fall under one of three chapters:

- Section 2 – Vision, Development Strategy and Implementation
- Section 3 – Development Allocations
- Section 4 – Delivering Sustainable Development in Havant Borough

4.2.2 At this stage in the BBFP's preparation, we wish to make the following comments on the direction of the Council's emerging policies and policy choices as matters stand.

Policy 1: Spatial Strategy

4.2.3 Policy 1 is identified as being an expression of the Council's vision for the borough by the end of the BBFP plan period in 2043, being a development strategy that gives spatial expression to that vision. In doing so, it describes how the BBFP will deliver the vision of a borough "*with high quality, environmentally sensitive urban and suburban living, where the nature and location of development is shaped by the need to provide homes for all, regenerate urban centres, address climate change and enhance the natural environment*".

4.2.4 In this regard, the supporting text to Section 2 of the BBFP describes some of the policy choices and decisions that have made when preparing the spatial strategy, including the Council's suggested pattern of development. In doing so, it outlines how development is focussed as much as possible on the borough's existing urban

areas, brownfield sites and regeneration areas, before going on to acknowledge that brownfield sites in themselves are not sufficient, such that sustainable greenfield urban extensions are also required.

4.2.5 However, paragraph 2.24 of the BBFP then seeks to explain how flood risk provides a key constraint to the borough's coastal location, and as a consequence greenfield development is only considered suitable on less constrained sites on the mainland.

4.2.6 The same paragraph then goes on to furthermore state that greenfield land on Hayling Island in particular is not being put forward for development, primarily on the basis of the flood risk to the access road/A3023 Langstone Bridge on and off the island, but remarks that the resulting pattern of development also aligns with the strategic aim to ensure good accessibility by non-car modes.

4.2.7 Having reviewed this strategy and the authority's accompanying evidence base reports, Gladman have significant concerns over its soundness. Noting the 'no stone unturned' philosophy that the BBFP impresses, we do not believe this philosophy has been employed when it comes to the Council's decision-making on this issue.

4.2.8 The risks of flooding associated with the A3023 Langstone Bridge are not new, and yet they have never previously been deemed a constraint to further development. Until the preparation of the current BBFP proposals, the point has not been raised as an issue during the promotion of Gladman's Rook Farm proposals to date, nor are we aware that it was deemed a constraint during the preparation of the authority's withdrawn Local Plan. The same applies to its treatment in other Hayling Island proposals and developments, such as Barratt's Sinah Lane scheme[2].

4.2.9 We are not reassured that the Council has given due consideration to this issue. In this regard, we have reviewed the findings of the Council's Strategic Flood Risk Assessment (SFRA) Local Plan Sites report and its commentary on this topic, in order to gain a better understanding of the authority's decision-making.

[2] Application Reference APP/20/01093

4.2.10 The SFRA Local Plan Sites report records how Gladman's Rook Farm proposals (and other potential development sites on Hayling Island) have been elevated to the category of 'high risk' by the authority due to the risk of flooding to A3023 Langstone Bridge. Under the guise of an Exception Test exercise, the document then seeks to consider whether there are grounds for directing development to site on Hayling Island in light of these risks, ultimately concluding for Rook Farm that:

> **"Safe development could be delivered at the site level. However, 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."**

4.2.11 However, we do not believe this high-level commentary, which subsequently feeds through to the Council's Sustainability Appraisal and the development of its proposed spatial strategy, has shown that there are justifiable grounds for the decision to prevent Hayling Island from playing an important role in delivering much-need housing to meet the borough's needs, linked to this specific issue, and the risks that flooding to the A3023 Langstone Bridge pose in real world terms.

4.2.12 Turning to active travel, similar to our concerns regarding flood risk, we do not understand the rationale for directing development away from Hayling Island in respect of this subject. The Council's Sustainability Appraisal suggests this is linked to 'in-principle concerns' raised by the Local Highway Authority, who have 'indicated' that development on Hayling Island would be car dependant, as it offers very little modal choice.

4.2.13 However, again, we do not believe these conclusions are justified. To use Gladman's Rook Farm proposals as an example, future residents of this development will have access to a wide range of services and facilities by non-car modes of transport,

including the good range of services situated in the immediate vicinity of the site in the South Hayling/Mengham area.

4.2.14 This will be further supplemented by access to the No. 30 and 31 bus services that operate from the existing stops on Church Road/Elm Grove, with two circular services (Havant – Hayling Island) per hour Monday-Saturday, and an hourly service on a Sunday. The first service in the direction of Havant leaves from the Church Road/Elm Grove stops before 6am, with the last service returning at 11.30pm. These services also provide the opportunity to access national rail services at Havant station, which is a 5-minute walk from Havant bus station.

4.2.15 As currently prepared, Policy 5 of BBFP describes how the Council will be planning for at least 7,218 dwellings over the period 2023 – 2043, or 361 dwellings per annum (dpa), which equates to just 42% of its full housing need/Local Housing Need figure of 892 dpa. Whilst the BBFP advises that a proportion of the Council's housing needs will be met via the cross-boundary arrangements Winchester, this still leaves a significant shortfall of 9,292 dwellings that will not be delivered as matters stand.

4.2.16 The Council should be doing everything in its power to meet its housing needs, unless there are clear, unequivocal, reasons for not doing so, and positively exploring all avenues to address these needs in full.

4.2.17 On the basis of the proposals that have been put forward as part of the current BBFP consultation, we do not believe that the Council has demonstrated that this is the case, or proposed a suitable, coherent spatial strategy in so far as Hayling Island is concerned. As a consequence, we do not believe that the Council's emerging spatial strategy can be considered adequately justified or sound.

Policy 5: Amount of Housing

4.2.18 The headlines of this policy have already been touched on above. In this regard, Policy 5 sets out how the Council will make provision for at least 7,218 net new homes over the period 2023 – 2043, equivalent to 361 dwellings per year. Compared to the

Council's full housing need figure of 17,840 dwellings over the same period, this is less than half of the full amount of housing that should be delivered in the borough.

4.2.19 As stated above, the Council must do all that can to meet these higher needs in full, particularly in the context of its present strategy for Hayling Island. We would again encourage the Council to re-consider the stance that it has chosen to adopt on this latter subject, as we do not believe its strategy is justified, warranted, or soundly based.

4.2.20 In the context of this policy, we note that the Council is again electing to direct 2,100 dwellings towards the Southleigh allocation, of which 1,650 units are forecast to be delivered within the Local Plan period. Southleigh has been a longstanding proposal, however large-scale, strategic housing sites of this nature can often be complicated to deliver, requiring masterplanning and significant up-front infrastructure works and before any homes can be delivered. As a result, they can often come forward slower than expected or deliver fewer homes than first anticipated.

4.2.21 In the case of Southleigh, we note that the Inspectors that oversaw the Examination of the Council's now withdrawn Local Plan had reservations over the site's ability to deliver housing as suggested, highlighting the potential need for a new link road/access on to the A27 and a potential need a new rail crossing, which could impact the timescales for bringing the site forward.

4.2.22 In this respect, the Council should ensure that its proposals for Southleigh are realistic, and that there is a reasonable prospect of the site coming forward as anticipated.

Policy 7: Five Year Housing Land Supply

4.2.23 As currently proposed, Policy 7 seeks to provide a framework for determining planning applications that are not in accordance with the Development Plan in the event that the Council is unable to demonstrate a five-year housing land supply.

4.2.24 In such circumstances, the policy states that proposals will need to demonstrate:

a) The requirements of the development plan are met except Policy 2 (Defined Urban Areas);

b) The development is not affected by constraints which the NPPF protects as areas or assets of particular importance; and

c) There will not be a significant and demonstrable adverse effect from the development;

4.2.25 Whilst we welcome the fact that provisions are being put in place to help manage the release of land when there is a deficit of deliverable housing sites in the borough, the Council should ensure the requirements of this emerging policy complement the application of the Presumption in Favour of Sustainable Development. In this respect, the Presumption provides a clear means of intervention when a Local Plan is not fulfilling this minimum requirement of national planning policy, such that the BBFP should not introduce additional policy obligations that would impede this.

4.2.26 In addition, we would also suggest that there are other elements and policies of the BBFP that may be deemed 'out-of-date' when a five-year housing land supply cannot be demonstrated, alongside Policy 2, if these are 'most important' for the determination of a proposal. Consideration would also need to be given to whether such policies must be afforded reduced weight for the purposes of decision-making.

4.2.27 As a further point, we would also highlight that Policy 7 does not indicate how a proposal that complies with its terms would ultimately be treated by the Council. In this respect, it may be beneficial to clarify that such applications would be supported, noting that the first line of the policy states what would happen in the alternative, when a five-year supply is in existence.

4.2.28 Finally, the last part of the proposed policy states that "*there is no presumption in favour of sustainable development where the project is likely to have a significant effect on internationally designated habitats sites (either alone or in combination with other plans and projects)*". However, it may be beneficial to clarify that this would not be the case when an Appropriate Assessment has shown that an application would not adversely affect the integrity of the sites concerned, in accordance with paragraph 195 of the Framework.

Policy 11: Role of Applicants and LPA in Delivering Development

4.2.29 Policy 11 seeks to set expectations in relation to the role of applicant and the Council in the determination of planning applications, covering the pre-application and determination phases of a proposal.

4.2.30 Whilst we acknowledge the intentions of this policy and recognise the role that pre-application engagement plays in the broader planning application process, paragraph 41 of the Framework highlights that local planning authorities cannot require that a developer engages with them before a proposal is submitted but should 'encourage' the take-up of any services that they offer. To this end, we would suggest that the requirements of Policy 11 should be appropriately tailored to reflect this language.

4.2.31 Policy 11 also states that the Council will expect applicants to be proactive towards development proposals, going on to say that amongst other matters this should involve adjusting development schemes and evidence in response to pre-application feedback (in the case of major development), and pre-application advice from other consultees.

4.2.32 However, we would suggest that there may be instances where it is not always appropriate to amend proposals based on pre-application feedback, or in response to pre-application engagement, without this being detrimental to the quality of an application submission. If Policy 11 is taken forward, this must be recognised within its requirements and wording.

Policy 13: Housing Density

4.2.33 Policy 13 seeks to set minimum housing densities for different areas of the borough. In this regard, it states that these will be at least 55 dwellings per hectare (dph) within defined opportunity areas, 80dph in the town centres themselves, and 40dph elsewhere within the authority area.

4.2.34 In this context, we would suggest that an element of flexibility should be built into this policy, recognising that in some situations it may not be possible or achievable

to meet the minimum density standards due to site specific circumstances. We note that such wording is included in the policy's supporting text; however, it may beneficial to include this clarification in the policy itself.

Policy 14: High Quality New Homes

4.2.35 Policy 14 looks to establish design standards for new residential dwellings, including the expectation that new homes should meet the Nationally Described Space Standards (or future equivalent), and that a proportion of dwellings are consistent the Building Regulations M4(2) and M4(3) requirements for accessible and adaptable dwellings and wheelchair accessibility standards.

4.2.36 Whilst Gladman have no objections to the application of these standards in principle, the Council should ensure that the requirements of this policy are appropriately evidenced and justified, and accord with the requirements of national planning policy.

Policy 15: Low Carbon Development

4.2.37 Policy 15 describes how all development should embed the energy hierarchy into the design of buildings by prioritising a fabric first approach, layout and landscaping in order to minimise energy demand for heating, lighting and cooling.

4.2.38 It goes on to advise that a Sustainability Statement will be required for development proposals, before identifying expectations in relation to heating demand, energy consumption, and the use of renewable energy, further stating that a whole carbon assessment must be submitted for developments of more than 150 dwellings.

4.2.39 Whilst Gladman acknowledge the role that the planning system has to play in mitigating and adapting to the effects of climate change, we would query whether it is necessary to set energy/heating performance standards through the BBFP, given that there is already a national approach, the Future Homes Standard (FHS), being taken forward to achieve this same goal.

4.2.40 Delivering these improvements through building regulations has a distinct advantage over delivering a variety of different approaches across the county, in that it provides a single approach that all developers understand and can be rolled out at scale. This

allows supply chains and skills to be improved prior to implementation and ensure that improvements to building standards are actually deliverable from the point at which they are introduced.

4.2.41 In this context, the Council should ensure that the requirements of this policy and any standards introduced by the authority are consistent with the requirements of national planning policy and applicable guidance on the use of local energy/building performance targets.

Policy 19: Biodiversity Net Gain

4.2.42 Policy 19 details expectations in relation to the delivery of biodiversity net gain (BNG). This includes the stipulation that proposals should achieve a minimum BNG of 10% when measured against the latest Defra Biodiversity Metric (or successor), and expectations on how this should be achieved.

4.2.43 Whilst we have no objections in principle to the overarching intentions of this policy, noting that a 10% gain is now the subject of a national standard condition and supporting guidance has been issued on this topic at a national level, at this stage, we query whether a localised policy in the BBFP plan is required to supplement this.

4.2.44 The Council should ensure that any additional policy requirements applicable to the borough do not replicate these national expectations or introduce requirements that go beyond what otherwise be deemed proportionate and necessary to achieve BNG at a national level.

Policy 25: Solent Waders and Brent Goose Strategy Sites

4.2.45 Policy 25 is relevant to development proposals that have the potential to impact on the network of Solent Wader and Brent Goose Strategy (SWBGS) sites, advising that planning permission for such schemes will be granted where they have been assessed in accordance with the Habitat Regulations, and provide an appropriate avoidance and mitigation package, that has been informed by SWBGS records and other survey data as relevant.

4.2.46 Whilst we have no significant observations to make on the intentions of this policy or its requirements at the present time, as the Council are aware, an appropriate mitigation package has been prepared for Gladman's proposals at Rook Farm, in connection with the site's identification as a Core Area within the SWBGS, which satisfies the requirements of the Habitat Regulations and demonstrates that this does not pose a constraint to the site's development.

Policy 26: Flood Risk

4.2.47 Policy 26 outlines the Council's suggested approach to flood risk, taking separate approaches to the borough and proposals on Hayling Island. In respect of the latter, the policy mirrors to direction of the authority's emerging spatial strategy, stating that "*Planning permission will not be granted for a net increase in dwellings or residential institutions outside of the defined urban area, even if the site itself is not at risk of flooding, given the risk to the access route to and from the island*".

4.2.48 We refer to our earlier representations that have been made on this topic, which equally apply here. Gladman would again recommend that the Council reviews the 'special consideration' it has chosen to apply to this subject. We do not believe that the Council has appropriately justified its stance on this topic, or that this is soundly based.

4.2.49 Again, this in the context of national planning policy, which makes clear that local planning authorities must exhaust all opportunities to meet their housing and development needs in full.

Policy 47: Accessibility, Transport and Parking

4.2.50 Policy 47 describes how the Council will be looking to take a hierarchical approach to transport in implementing the BBFP, beginning with opportunities to reduce travel demand and the need to travel, followed by iii) people walking, iv) people cycling, v) the use public transport., and vii) other motor vehicles.

4.2.51 The policy then sets out a series of 'transport considerations in new development' stating the planning permission will be granted provided that the needs of all people

and modes of transport have been considered (with priority being given to walking, cycling and public transport) in the context of the policy's accompanying criteria, before going on to list a series of expectations in relation to the assessment and mitigation of transport impacts.

4.2.52 Whilst Gladman have no objections to the overarching intentions of this policy, the Council must ensure that its approach to transport and accessibility matters is fully consistent with the requirements of national planning policy, and is a true reflection to the ability to deliver sustainable proposals that are accessible by non-car modes of travel, that would not have an unacceptable impact on the operation of the local highway network, and are fully appropriate and acceptable in highway terms.

4.2.53 In this respect, we must again highlight our objections to the Council's decision not to propose further residential allocations on Hayling Island, linked to the suggestion that this is not favoured by the local highway authority on accessibility grounds. Notwithstanding that this does not appear to be fully evidenced, we strongly disagree with the rationale and basis for this decision, in connection with our development proposals for Rook Farm.

4.2.54 As described in these representations above, future residents of the Rook Farm site would have access to a good range of services and facilities by sustainable modes of travel, facilitated by the site's location within South Hayling/Mengham, which will permit access to a wide range of amenities by walking and cycling, including but not limited to Mengham Junior School, the Hayling College, Hayling Island Health and Community Centres, and the wider range of amenities available in the South Hayling District Centre.

4.2.55 These amenities are supplemented by accessibility to bus stops that are situated within 400m of the site on Church Road and Elm Grove, that are served by the Havant – Hayling Island circular bus route, which offers two services per hour throughout the week and on Saturdays, with an hourly service on a Sunday. These services commence at 05:55 in the direction of Havant, with the last bus in the opposite direction returning at 23:30.

4.2.56 The services would be convenient modes of travel for future residents of the site who work at Langstone Technology Park, Solent Retail Park or in Havant town centre. Connection can also be made to National Rail services at Havant station which is a 5-minute walk from Havant bus station.

4.2.57 Taking these factors into account, we cannot understand the suggested rationale for discounting development sites on Hayling Island on the grounds of accessibility by non-car modes of transport, in preparing the BBFP. In the context of the tests of soundness at Framework paragraph 36, we do not believe the Council has presented a credible case for arriving at this conclusion.

4.2.58 Finally, we note that the supporting text to Policy 47 (paragraph 4.486) describes how owing to the Council's stance, the Local Plan has not tested a notable amount of development on Hayling Island, going on to describe how testing the transport implications of proposals for major development on the Island will therefore be particularly important, and should be via a methodology agreed with the relevant highway authorities (Hampshire County Council and National Highways).

4.2.59 As the Council are aware, Gladman have been completing such work for its proposals at Rook Farm, via an approach and methodology that has been agreed with HCC and National Highways. The full results from this work will be shared with the Council in due course as part of our current planning application submission and will further support the representations that have been provided above.

5 SITE SUBMISSION – LAND OFF ST MARY'S ROAD, HAYLING ISLAND (ROOK FARM)

5.1 Introduction

5.1.1 As highlighted above and the Council will be aware, Gladman are continuing to promote Land off St Mary's Road (Rook Farm), Hayling Island for residential development. The site was previously proposed as an allocation as part of the Council's previous Local Plan proposals (Policy H27 – Rook Farm) and is currently the subject of a pending planning application (HBC ref APP/21/01434) for up to 300 dwellings.

5.1.2 We submit that Land off St Mary's Road site continues to represent a suitable and sustainable location for residential development. In this respect, it is clear that there are no technical issues that would preclude the site's development, in the context of our submissions on the direction of the Council's spatial strategy above. Where consultees have requested further information as part of our current planning application submission, this is also due to be provided in the very near future.

5.2 Sustainable Site, Sustainable Location

5.2.1 Gladman have highlighted the suitability of Rook Farm as sustainable location for further residential development in previous representations to the Council, including our earlier response to the authority's 2022 Discussion Paper consultation and our accompanying Call for Sites submission. However, we wish to take the opportunity to comment on the current consultation to highlight these attributes again:

- Site Capacity – The site could sustainably accommodate up to 300 dwellings, at 40 dph, including 30% affordable housing in accordance with the Council's current adopted policy requirements.
- Character and Heritage - The site could be developed to reflect the character of the surrounding area and to create an appropriate relationship with existing and proposed development along Church Road, St Mary's Road and Fathoms

Reach. The site's development would not give rise to any unacceptable landscape or visual harm or to significance of the nearby Listed Buildings. The proposals for the site have been purposely designed to respect the setting and significant of St Mary's Church, which also aligns with the modifications to Policy H27 that were requested by Historic England in response to the Council's withdrawn Local Plan proposals.

- Accessibility – As detailed in these representations above, the site is centrally and sustainably located in relation to the wide range of services and amenities. All of these facilities would be situated in close walking and cycling distance of the site, with amenities in the wider locality and larger employment and service centres of Havant and Langstone accessible via the existing bus stops located on Church Road and Elm Grove;

- Highways and Access - The site could be safely and suitably accessed from St Mary's Road. As noted above, additional highway modelling has also been undertaken in connection with our current application proposals. The site could be developed without any unacceptable impacts on highway safety and capacity.

- Ecology – Whilst the site has been identified/designated as a Core Area for Brent Geese and Waders as part of the SBGWS, a mitigation strategy that satisfies the relevant requirements of the Habitats Regulations has been developed. Ecological surveys have been completed in order to assess the site's potential to house notable and protected wildlife species, and these have not identified any issues that could not be addressed through a range of tried and tested mitigation techniques. A solution to achieve nutrient neutrality can also be achieved.

- Technical Studies – Our current application submission has also been supported by a comprehensive range of other technical studies which demonstrate the site's suitability for residential development. These include a Landscape and Visual Impact Assessment, Heritage & Archaeology

Assessment, and Noise and Air Quality Assessments. They also include an Environmental Statement in accordance with the Environmental Impact Assessment Regulations.

- Utilities - The site could be adequately served by existing or enhanced utilities infrastructure. Proportionate developer obligations would also be provided to address any infrastructure deficiencies directly arising from the site's development, including the provision of informal and formal open space.

5.2.2 Land at Rook Farm is available, offers a suitable location for development now and is achievable. Gladman and the land's owners would welcome the opportunity to discuss the site's development credentials and the delivery of Rook Farm further with the Council's officers as the authority's new Local Plan progresses.

6 CONCLUSIONS

6.1 Summary

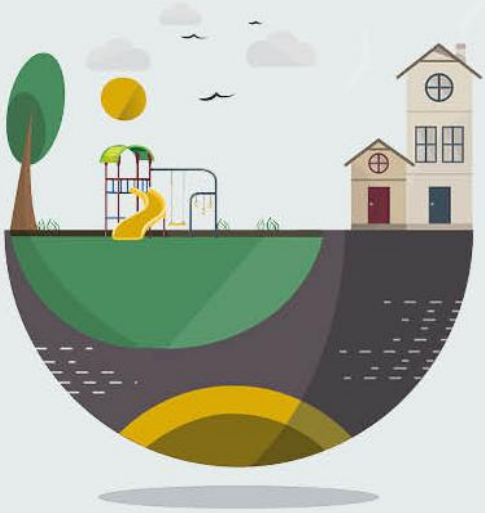
6.1.1 Gladman welcomes the opportunity to comment on current Regulation 18 Building a Better Future Plan consultation. These representations have been drafted with reference to the National Planning Policy Framework (The Framework) and the associated updates that were made to Planning Practice Guidance.

6.1.2 Through these submissions, Gladman have highlighted a number of concerns with the Council's emerging proposals as matters stand, and areas where further clarification would be beneficial. We recommend that the matters raised are carefully reviewed during the course of the BBFP's preparation.

6.1.3 As currently prepared, we are concerned that the Council's emerging Local Plan is not sufficiently aspirational or justified. This is particularly the case in respect of the emerging Local Plan's approach to the delivery of further development on Hayling Island, and the consequential implications for the ability to meet the borough's housing needs. As currently prepared, we do not believe the BBFP provides a sound planning framework for the Havant authority area.

6.1.4 Gladman welcome any future engagement with the Council and if you would like to discuss this representations or other matters, please contact us at policy@gladman.co.uk.


SCHOOL





Planning Inspectorate

Appeal Decision

Inquiry held on 23 to 25 and 30 June 2026

Site visit made on 26 June 2026

by P Hanna PGDip MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th August 2026

Appeal Ref: 6004299
Land off St Mary's Road, Hayling Island

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for outline planning permission
- The appeal is made by Gladman Developments Ltd against Havant Borough Council.
- The application reference is APP/21/01434.
- The development proposed is described as up to 300 dwellings (including affordable housing). The proposal also includes provision for structural planting and landscaping; informal public open space; children's play areas; sustainable drainage system (SuDS); a new vehicular access from St Mary's Road; and associated ancillary works. All matters reserved except for means of vehicular access.

Decision

1. The appeal is allowed and planning permission is granted for up to 300 dwellings (including affordable housing) including provision for structural planting and landscaping; informal public open space; children's play areas; sustainable drainage system; a new vehicular access from St Mary's Road; and associated ancillary works at land off St Mary's Road, Hayling Island in accordance with the terms of the application reference APP/21/01434 subject to the conditions in the attached schedule.

Preliminary matters

2. The Hayling Island Residents' Association (HIRA) was granted Rule 6 party status. At the Case Management Conference, HIRA confirmed that, in the absence of an objection from Havant Borough Council (the Council), it intended to participate fully in the inquiry. At the event HIRA were professionally represented and presented evidence on the below main issues as well as planning matters.

3. An Environmental Impact Assessment (EIA) has been undertaken and reported in an Environmental Statement (ES) in accordance with the requirements of The Town and Country Planning (EIA) Regulations 2017. An amendment to the red line site boundary was made prior to the inquiry, reducing the site from 11.77 to 11.64 hectares. The effect of the amendment on the proposal was assessed in an EIA compliance statement which was subject to public consultation. I am satisfied no prejudice arose from the revision. The ES is sufficient to reach a reasoned conclusion on significant effects and has been taken into account in this decision.

4. The application seeks outline planning permission with the principal means of access to be determined at this stage. Appearance, landscaping, layout and scale are reserved matters to be considered further. The submitted parameters plan is proposed to be subject to a condition requiring compliance, and I have determined

the appeal on that basis. I have amended the description of development in the decision from that given on the application form to remove superfluous wording.

5. The Council's assessment of five year housing land supply is 1.3 years based on a local housing need of 887 dwellings with a 20% buffer and a deliverable supply of 1,401 units, for the period April 2025 to March 2030. This results in a shortfall of 3,921 dwellings against the five-year requirement. The 2023 Housing Delivery Test measurement for Havant is 74%. This is discussed further below.

6. A planning obligation pursuant to s106 of the Town and Country Planning Act 1990, in the form of a unilateral undertaking, was discussed at the inquiry, and was subsequently signed on 8 July 2026. I return to this below.

Main Issues

7. Whilst the Council has no objections to the proposed development, HIRA have raised three key concerns. The main issues are:
   - the effect of the risk of flooding on the proposed development, with particular regard to the A3023 Langstone Bridge;
   - whether the proposed development is in a suitable location with regard to accessibility, and the effect of the proposal on the capacity of the road network and the safety of road users; and
   - the effect of the proposed development on the integrity of the Solent Special Protection Areas.

Reasons

8. The appeal site is an irregularly shaped parcel of agricultural land located off St. Mary's Road, of some 11.64 hectares. The site is bounded to the south and east by residential dwellings along St Mary's Road and Rook Farm Way, and to the north by open land beyond which lies the Hayling Island Holiday Park. To the west is open land and an established residential area along the A3023 Manor Road. The Grade II* listed building St Mary's Church bounds the northeastern corner of the site, and a public right of way (PROW) wraps around the northern and western boundaries. The site is largely level and contains a drainage ditch running east to west with an agricultural building close to the centre of the site.

9. The proposal is for up to 300 dwellings, with 30% affordable housing, to be accessed from a new vehicular access point from St Mary's Road, with areas of formal and informal public open space, play areas, allotments, community gardens and recreational footpaths. Sustainable drainage attenuation basins are shown as being located to the south and west boundaries of the site.

10. The development plan includes the Havant Borough Core Strategy (2011)(CS) and the Havant Borough Local Plan (Allocations)(2014)(LP). The Havant Borough Local Plan 2036 (wLP) proposed the appeal site for allocation but was withdrawn by the Council following the 2021 report into its examination. The current emerging Building a Better Future local plan (eLP) was subject to Regulation 18 consultation in summer 2025, and Regulation 19 consultation is due to take place in late 2026 with submission to the Secretary of State currently anticipated by the end of 2026. The eLP proposes no new development on Hayling Island due to flood risk to the access road. It is of very limited weight given its early stage of preparation.

11. The appeal site lies outside of the urban area boundaries for south Hayling Island and, accordingly, there is no dispute that the proposal is contrary to policies CS17 of the CS and AL2 of the LP, which together deal with urban area boundaries and the undeveloped gaps between settlements.

Flooding

12. The appeal site itself is on higher land than the coastline of the island and is designated as being within Flood Zone 1 where the risk of flooding is low. The A3023 Langstone Bridge is the sole access road connecting the island with the mainland, and HIRA's remaining key concern relates to the public safety implications of the flooding and closure of the bridge.

13. The risk of flooding to any location is assessed with initial reference to the Environment Agency's (EA) online flood map. For Langstone Bridge, areas to the north and south are within Flood Zones 2 and 3.[1] The EA further confirm that tidal flood defences in the form of engineered high ground and coastal embankments can offer protection up to 1 in 25-year and 50-year tidal flood events. The strategic flood risk assessment (SFRA) mapping from February 2025 also shows the bridge is protected to a crest tide level up to the 1000-year return event. On this basis, the flood risk assessment concludes that the flood risk to the bridge is low. However, there have been flood events in the past on Hayling Island and HIRA argue that the risk level is greater, and that flooding events would occur much more frequently, than assessed by the appellant, with reference to three key factors.

14. Firstly, that Storm Pierrick on 8 April 2026 created the extreme coastal conditions of a 1-in-75 year event. Secondly, the SFRA mapping of the 1-in-30 year present day defended event indicates that the A3023 south of the bridge would be within the flood zone. Thirdly, HIRA consider that the EA's extreme sea level standard of 2.65m for still water conditions would overtop the 2.75m sea defences for the island, given the coastal location and south westerly wind.

15. Even if I were to wholly accept HIRA's position on these points, with regard to the suggested increase in frequency of flooding events, there are still a number of significant mitigating factors:
    - flooding events would occur only for short durations of time, with inundation lasting just hours rather than days;
    - impending flood events would be subject to flood warnings, enabling any affected residents to make advance preparations;
    - the island has a reasonably high degree of self-sufficiency, with GP surgeries, pharmacies, first responders, fires station, and a cardiac response station;
    - alternative access to the island is potentially available by sea and air, albeit that these may not be available during severe storm events;
    - an emergency planning framework has been produced by the Council, which sets out how emergencies on the island should be dealt with by the relevant bodies. Even if this is not an operational plan, the Council and other agencies have emergency responsibilities, in line with the requirements of the Civil Contingencies Act 2004; and
    - HIRA's concerns about access during flooding already affect a large existing permanent population of some 18,000 island residents, which can rise by some

[1] Flood Zone 2 is land located between the extents of the 1 in 200-year and 1 in 1000-year (<1% to >0.5% AEP) risk of tidal flooding. Flood Zone 3 is land located within the extent of the 1 in 200-year (>0.5% AEP) risk.

4,000 during summer months. This number will be increased by the development of 300 homes, but not substantially.

It is my judgement that, when taken together, these mitigating factors are sufficient to outweigh the low risk of flooding causing temporary closure of the bridge and the low risk of emergency care being required during closure.

16. This position is supported by both the Council and EA, neither of whom raised an objection to the proposal. There was also no objection from Hampshire Fire and Rescue or the Hampshire and Isle of Wight Fire Service. Although the Coastal Partners consultation response highlighted the need to consider emergency planning and rescue implications, which I have done, it also did not object.

17. A number of local residents have brought to my attention the extent of flooding experienced at their homes, and I have considerable sympathy for the difficult circumstances they have endured. But even in that light, the development would not in itself worsen the risks of flooding elsewhere. Although the eLP identifies tidal flood risk as significant and makes no residential allocations on the island, the Council recognise that only very limited weight can be attached to the eLP. The Council's current position is that, in light of that weight and the presumption in favour of sustainable development, the benefits of housing delivery outweigh the risks from flooding. That the Council has previously refused planning permission on flooding risk grounds is a matter of very limited weight given my findings.

18. Turning to other flooding matters, the site itself is within Flood Zone 1, with low risk of fluvial and tidal flooding. At the inquiry, the parties agreed that the sequential and exception tests in the National Planning Policy Framework (the Framework) were not engaged by the appeal proposal. A drainage strategy for the site indicates that the development would achieve a betterment in surface water runoff on the site, the details of which can be satisfactorily dealt with by conditions. The uncertainty of funding for repairs to Langstone Bridge and for implementation of any tidal mitigation works is not a matter of sufficient weight to change my findings.

19. In conclusion, the risk of flooding on Langstone Bridge is low and the risk of a requirement for emergency care being required which is not on the island is also low. Taken together, the overall adverse effect of the risk of flooding is, at most, limited. The proposal complies with policy CS15 of the CS and the Framework, which together require that new development should not be at risk of flooding nor increase the risk of flooding elsewhere. Accordingly, flood risk is not a strong reason for refusal in respect of footnote 7 of the Framework, and I return to this in the planning balance.

Highways

Accessibility

20. The appeal site is located within some 1km of both the West Town and Mengham/ Gable Head local and district centres. Both contain a range of facilities including top-up shopping, pubs/restaurants and hot-food takeaways. Within the preferred maximum walking distance of 800 metres, or about 10 minutes, from the centre of the site are a convenience store, infant school, nursery, junior school, college, recreational ground and play area, health centre, pharmacy, church, allotments and vets. The island also contains a supermarket, some 1.25km from the appeal site, business park, sports and sailing clubs, library and community centre, notwithstanding that hospital care, in-branch banking, and post-16 education are

off island. Despite HIRA's concern that the island's retail facilities are the lowest tier and that many employment opportunities are also off-island, the appeal site is, overall, very well located for access to a wide range of services and facilities.

21. Bus stops are located less than 350 metres from the site, running two services on circular routes, timetabled to individually run half-hourly Mondays to Saturdays and hourly on Sundays, notwithstanding concerns about reliability. Destinations include Havant town centre and the Langstone Technology Park business hub, where employment opportunities exist. From Havant train station (a 5 minute or so walk from the bus stop) services run to London, Portsmouth and Southampton. Taxis and car shares are also available, albeit that services may be limited.

22. In terms of active travel, the island contains a primary cycle route between Langstone Bridge and the passenger ferry to Portsmouth, which incorporates the off-road Billy Trail. There are also several other secondary cycle routes around the island. All are easily accessible, even if not via dedicated routes. Sections of the routes are unlit and may not meet current standards, and funding for maintenance and improvements is uncertain. This makes the routes slightly less attractive, but it does not mean they are unsuitable for ongoing and potentially increased use.

23. A travel plan would be secured by the obligation, with a target for a 10% reduction in car use, along with promotion of active and sustainable transport, amongst other measures. Overall, residents would have a genuine choice of sustainable transport modes for day-to-day needs which would limit the need to travel.

Capacity

24. The A3023 Langstone Bridge is the sole route on and off the island. This road, and the highways network across the island, can be subject to congestion currently, with disruption caused by roadworks, accidents, breakdowns and flood events. Planned works are subject to the Council's roadworks management strategy for the island, which seeks to minimise adverse impacts. Local residents described to the inquiry how these disruptions have caused considerable inconvenience, which I recognise. However, the relevant test here, as set out in the Framework, is whether or not the addition of up to 300 new dwellings would result in severe residual cumulative impacts on the road network.

25. The assessment of traffic impacts is typically carried out at neutral times. However, given the particular tourism draw of the island, as recognised during examination of the wLP, additional summertime modelling work has been carried out for the appeal proposal. This microsimulation modelling has indicated significant impacts on the Langstone roundabout, however a suitable level of mitigation has been provided in the form of works and financial contribution, as agreed with the local highway authority. The key remaining criticisms from HIRA, following rebuttal by the appellant's consultants, include the absence of an uncertainty log, rat running and failure to model restricted flows.

26. Whilst the Department for Transport's transport analysis guidance recommends uncertainty logs, doing so would have largely replicated the existing forecasting assumptions and modelling brief parameters. Not every modelling run has been provided but, in the context of agreement on the modelling from the highway authorities, their absence does not materially weaken my confidence in the model's robustness. Although the Council's scoping opinion raised a question about potential rat running on West Lane, this was in respect of air quality, not

transport concerns. Furthermore, that scoping comment was made in 2021 prior to the submission of the planning application, to which no objection was ultimately raised. Nor did the Council or consultees expect modelling scenarios to include potential restrictions to the bridge during repair works, as discussed further below. This is right, in my view, given the current uncertainties around what such repairs and any restrictions may comprise.

27. HIRA presented evidence on congestion based on TomTom data. This suggests that the highest congestion level is 92% at 20:00 on Sundays, which is described by HIRA as being at "standstill". However, regardless of whether or not this shows that the road network is significantly more congested and sensitive than set out in the transport assessment and modelling, the development traffic would not add significantly to this existing seasonal congestion as its own peaks are instead during commuting hours. If all predicted movements from the development during this time were to join the seasonal traffic, this would result in an increase of around only 8%, but development movements would typically be more widely dispersed across the road network than seasonal movements.

28. The most recent structural assessment of Langstone Bridge has identified the need for major refurbishment works which will be complex to implement. Although no funding has yet been identified for the works, the Council has already indicated its awareness of the need to maintain traffic flow on the bridge, and no weight restriction is currently intended. Should any overlap occur between bridge repairs and construction of the appeal development, this could be appropriately managed by means of a condition for a construction method statement.

29. Overall, I am more persuaded by the detailed technical modelling undertaken as part of the transport assessment and conclude that the residual cumulative impact of the development proposal would not be severe.

Safety

30. Langstone Bridge is a two way highway with raised shared footway and cyclepath either side. Whilst no fatal collisions were reported during the five-year assessment period, a recent cycling fatality occurred on the bridge in April 2026, with cause still unknown. I recognise the shock this accident would have caused to the local community but there is no substantive evidence before the inquiry to suggest that the existing bridge layout is inherently unsafe, notwithstanding some less serious accidents and the latest Department for Transport standards. The Council confirm that this accident did not change its overall conclusion and that no specific accident remedial measures would be required. Nor is there substantive evidence that the additional use arising from the new residents of the development would unacceptably worsen road safety, notwithstanding that cycling here is described by local residents as unpleasant.

Conclusion on highways

31. In reaching a conclusion on the above matters, I give considerable weight to the consultation responses of the local highway authority and National Highways, neither of whom raised any objection to the proposal, subject to conditions. Overall, the proposed development is in a suitable location with regard to accessibility and, with mitigations, would not have a significant adverse impact on the capacity of the road network and the safety of road users. The proposal complies overall with policies CS20 and DM12 of the CS and the Framework,

notwithstanding the conflict with the non-Framework compliant aspect of policy CS20 of the CS which prohibits any increase in congestion and therefore attracts reduced weight. Together, these require that new development should prioritise sustainable transport modes, not create an unacceptable impact on highway safety, and not have severe residual cumulative impacts on the road network.

Ecology

Impact on internationally designated sites

32. Brent geese are winter visitors to the Solent from breeding grounds in Siberia. The species is of high international importance in conservation terms and is vulnerable due to the relatively small size of the world population and variable breeding success. The species is a qualifying feature of the nearby Chichester and Langstone Harbours SPA and Ramsar site, Portsmouth Harbour SPA and Ramsar site, and the Solent and Southampton Water SPA and Ramsar site (the Sites). Other habitat types and species for which the Sites are protected are catalogued in detail in the appellant's information to inform habitats regulations assessment.

33. Brent geese have been recorded at the appeal site since 2013, with counts of up to 1100 individuals. The appeal site therefore functions as supporting habitat for waterfowl assemblages and is identified as a core area under the Solent Wader and Brent Goose Strategy (SWBGS) for its suitable conditions and functionally linked land.

34. Notwithstanding this core area designation, the right conditions are necessary for the site to play its role as supporting habitat for the wintering birds. The presence of brent geese on the site is dependent on the agricultural management of the site. When brassicas have been planted, or when the field has been ploughed and left as expansive bare ground, surveys have recorded no brent geese at the site. Even so, the proposed development would result in the complete loss of this important wintering site. The loss of supporting habitat at the appeal site would, in the absence of mitigation, give rise to a likely significant effect on the Sites.

35. Accordingly, mitigation is proposed in the form of a permanent wintering bird refuge site on land west of West Lane, some 1.2km from the appeal site. The proposed refuge site is also identified as core area habitat and, as with the appeal site, it's use is currently dependant on farming practices. As such, management of the refuge site would be specifically directed towards conservation purposes, overseen by an appropriate conservation body and secured in perpetuity.[2]

36. The key issue of dispute between the parties is whether it has been demonstrated beyond reasonable scientific doubt that the appeal proposal, with mitigation, would not result in adverse effects on the integrity of the Sites. The SWBGS identifies that any mitigation land must fulfil the same contribution and particular function of the area lost for the same species, and the appropriateness of mitigation should be considered under the following five criteria, in order of priority.

37. *Habitat type*. The refuge site is identified as a core area and is known to support brent geese. Although the appeal site is inland whilst the refuge site is in a coastal location, the SWBGS identifies both sites equally as core areas. There is no hierarchical distinction between inland and coastal core areas, and both sites

[2] Defined in the planning obligation as a period of 80 years.

relate to the same SPAs. Whilst the SWBGS goes on to recognise that comparatively little attention has been given to the vital role of ecologically linked inland sites, the Brent Goose Mitigation Strategy (BGMS) and supporting evidence set out a clear understanding of the benefits and disadvantages of the inland appeal site. Consequently, I find that the proposed BGMS presents an expert and convincing demonstration of the appropriateness or otherwise of the habitats at both the appeal and refuge sites.

38. *Existing disturbance*. The refuge site is located between the Hayling Billy Trail and West Lane, but disturbance from these routes is unlikely given the size of the site. Vehicles, such as those that would be travelling along West Lane, are not seen as predator threats to brent geese. Along the Billy Trail the noise and intervisibility of walkers, cyclists and dogs would be reduced by supplementary native scrub and shrub planting, even if activity were to increase significantly. In contrast, the PROW along the perimeter of the appeal site is open and immediately adjacent to the habitat. Overall, the refuge site is not subject to significant existing or proposed disturbance and, indeed, would potentially be subject to less disturbance than the appeal site.

39. *Area of habitat*. The refuge site is some 24% larger than the appeal site, being around 14.6 hectares, albeit that this mitigation land is not additional land and there will instead be a net reduction in the overall core area. Whilst this weighs against the proposal, on the other hand, as discussed above, both sites are currently subject to the vagaries of farming practices. The proposal would ensure that agricultural management is directed towards brent geese conservation purposes. This would offer a more consistent and reliable refuge to brent geese, year after year, than otherwise currently exists over both sites. HIRA are concerned that there is no assessment of the benefits of the proposed enhanced habitat. To my mind it is self-evident that consistent conservation management of the site will be a considerable benefit to the species, over the uncertainty of the current position, even if the assessment of qualitative impacts might be lacking.

40. *Timing and availability of habitat*. The habitat is within the control of the appellant, its use as mitigation land would be secured by planning obligation in perpetuity, and the refuge site would be brought into use prior to the commencement of the appeal development. Whilst Natural England's (NE) earlier consultation response advised that assessment of effects should be informed by a habitat managements and monitoring plan (HMMP), it later confirmed that a Grampian condition for an appropriate HMMP would be capable of satisfying legal and habitats directive requirements. HIRA are concerned that the absence of an HMMP means that adverse impacts on the integrity of the Sites cannot be established beyond all reasonable scientific doubt. Whilst this test is a high bar, it does not require absolute certainty, and sufficient assurance would be obtained by the obligation.

41. *Geographic location*. HIRA are concerned that coastal erosion could reduce the size of the refuge site. However, Mr Dawson's expert analysis predicts that, in approximately 100 years' time, inundation would reduce the site by some 2.4 hectares. This would leave some 12.5 hectares as mitigation land, which still exceeds the size of the appeal site. The coastal boundary of the proposed refuge site is defined by the Billy Trail, the long-term management of which is within the control of the local authority, which must also be exercised in light of its duties under the Conservation of Habitats and Species Regulations 2017 whether the refuge site is relied on for mitigation or not. In light of this duty, and the predicted

levels of inundation, I am satisfied that the long-term use of the site is sufficiently secure, for the purposes of both appropriate assessment and the requirement of policy CS11 to protect habitats.

42. HIRA are also concerned that mitigation land provided with other previous housing developments did not attract returning birds. However, the proposed refuge site is an identified core habitat, where birds are known to have been returning. In addition, those earlier developments and schemes were conceived and implemented under different mitigation guidance.

43. The Hampshire and Isle of Wight Wildlife Trust and Royal Society for the Protection of Birds both objected to the application in 2022. At that time, however, no details of the proposed mitigation site were available to them, and no updated consultation responses have been provided for the current proposals. I therefore afford the original consultation responses very limited weight. When all of the above points are taken together, I am satisfied that the proposal, with mitigation, would maintain the conservation status of brent geese and would not adversely affect the integrity of the Sites.[3]

44. In terms of nutrient neutrality, the proposal could, in the absence of mitigation, result in an increased nitrogen load within the marine environment of the East Solent. In combination with other housing growth this has the potential for likely significant effects. However, the securing of the above mitigation in the form of the refuge site would result in a change in farming practice from cereal cropping to lowland grazing. This has the effect of ensuring that the proposed development would be nitrogen negative, representing an overall betterment. The details of this scheme would be secured by condition.

45. The proposed development also has the potential to cause likely significant effects on the Sites through recreational pressure from new residents. In line with the Solent Recreation Mitigation Strategy (2024), the proposal would secure a financial contribution towards mitigation measures to address the identified impacts from recreational disturbance. These include provision of a ranger team; communication, marketing and education; encouragement of responsible dog walking; codes of conduct; and ongoing monitoring. With the contribution to be secured by the planning obligation, the mitigation is sufficient to ensure that the development would have no significant adverse effects on the integrity of the Sites.

46. My assessment of these matters is reinforced by the consultation responses of NE, which raised no objection to the proposal and, in concluding my appropriate assessment, I give the advice of NE significant weight. Overall, the proposed development, with mitigation measures, would not adversely affect the integrity of the Sites. The proposal would comply with policies CS11 of the CS, DM23 and DM24 of the LP and the Framework which together require development to avoid or mitigate likely significant effects on internationally designated sites.

Biodiversity net gain

47. Whilst the application pre-dated the requirement for biodiversity net gain, and the proposal is in outline only, it is nonetheless anticipated to deliver increases of

[3] A further additional area of land has also been made available, but this is not necessary given my conclusion that the refuge site would in itself adequately mitigate the loss of the appeal site, a position that is reinforced by NE's lack of objection to the proposal.

some 75.84% in habitats units and 321.30% in hedgerows units, with all trading rules satisfied. This is a benefit to be assessed in the planning balance.

Other matters

Heritage

48. The Grade II* Church of St Mary is thirteenth century in origin and surrounded by its graveyard. Located to the northeast of the appeal site, its significance derives architecturally from its medieval appearance, despite Victorian-period alterations, with steep tile roofing and stepped buttressing, and historically from its place at the heart of the local community, both physically and ecclesiastically. The appeal site forms part of the wider open landscape and setting for the church, from which the spire would have been widely visible and served as a local landmark. From within the site, intervening landscaping currently obscures most of the church with the exception of the uppermost part of the spire. Nonetheless, the appeal site contributes positively to the setting of this heritage asset.

49. Whilst the siting of development within the site would cause harm to the wider open setting and visibility of the spire, the parameters plan indicates that framed views to the church spire would be provided along a new road corridor along the full length of the site. The proposal would also introduce green space in the immediate vicinity of the churchyard. Consequently, the church as a visual landmark would be emphasised by the proposed urban layout, even though the extent of the area from which the spire could be seen would be reduced. Overall, the harm would be less than substantial, in the wording of the Framework, with the harm being at the lower end of the scale.

50. The Grade II listed Farm Cottage and Rook Farmhouse are two dwellings reworked from a single, earlier, possibly medieval building, located some 40 metres east of the site. Its significance derives from its physical fabric and from being a good example of eighteenth century farmhouse remodelling. Whilst the site forms part of the historical and functional wider agricultural setting, it is now physically, visually and functionally divorced from the asset by modern residential development, with the modern cul-de-sac of Rook Farm Way occupying the asset's former garden and farmyard, such that the site makes a negligible contribution to significance. Given this, the effect of the proposed development on significance by way of impact upon setting would also be negligible. This harm is at the lowest end of the scale of less than substantial. No other designated heritage assets would be affected by the proposal.

51. Whilst the harm to both designated heritage assets would be less than substantial, I give the harm in each case great weight. The Framework requires such harm to be weighed against the public benefits of the proposal. These benefits are assessed in detail below and I find that, in both cases, the public benefits outweigh the harm that would be caused. The proposal would therefore satisfy the requirements of s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Other matters

52. The proposal would result in the loss of open countryside. However, the site is not a valued landscape in terms of the Framework, and is well contained within a limited visual envelope, such that the landscape and visual harm would be limited.

The development would result in the permanent loss of best and most versatile agricultural land, being some 7.2 hectares of grade 2 land and 4.3 hectares of grade 3a, albeit that some limited mitigation is offered in the form of allotments. This is an adverse effect of the proposal, to which I return below. Although open countryside would be lost, recreational green spaces would be provided. Existing PROWs around the site would be unaffected and new public paths would be provided. Climate change targets would be addressed through water consumption and energy efficiency measures. Noise disruption during construction would be managed through conditions, and the development would not give rise to significant air quality concerns.

53. The surface water drainage strategy includes drainage features such as attenuation which would result in a betterment over the existing natural site drainage. Southern Water have no objection to connection to the foul drainage system, which would drain to Budds Farm. Concerns have been raised in respect of impacts upon local services, however the planning obligation would make contributions to improvements considered necessary, as discussed further below. Impacts on the living conditions of occupiers of neighbouring properties, including the holiday park, can be adequately assessed at the detailed stage. A previous outline planning application for up to 210 residential dwellings and 0.6ha for apartments with care was refused in April 2017 for a variety of reasons, but the current proposal can be distinguished from that, having addressed all matters of concern, as considered here.

Planning obligation

54. The planning obligation would secure works to improve pedestrian and cycle access in the vicinity of the site, as well as a contribution towards segregated cycle infrastructure on Church Road, improvements to the Billy Trail and Langstone roundabout, and PROW improvements and crossing provision on Manor Road, all in order to mitigate the impacts that would arise from the development. The submission, implementation and monitoring of a travel plan would promote increased active travel. A policy compliant requirement of 30% affordable housing, or up to 90 units, would be secured, with an agreed tenure mix of 70% affordable or social rent and 30% shared ownership. Delivery of open market housing would be phased with delivery of affordable housing.

55. A contribution would be provided towards the Bird Aware Solent Strategy on a tariff basis to mitigate recreational pressure. The provision and ongoing management of open space, play areas, permissive paths, common parts and sustainable drainage would be secured at appropriate stages of development. In order to support integration of new residents and mitigate social infrastructure impacts, a community worker contribution would be provided. To maximise local employment, apprenticeship and training opportunities, an employment and skills plan would be agreed. A wintering birds refuge site would be provided to mitigate the adverse effects of the development on brent geese for a period of 80 years, with refuge site 1 being sufficient to meet those requirements, in line with NE's considerations.

56. For the above reasons, I am satisfied that the obligations are necessary, directly related to the development, and fairly related in scale and kind. They comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the Framework and therefore can be taken into consideration.

Conditions

57. A list of suggested conditions was discussed at the inquiry. Amendments have been made to the wording of some conditions for clarity, brevity, or to avoid duplication, and to ensure accordance with the tests set out in paragraph 57 of the Framework. Pre-commencement conditions were agreed by the appellant.

58. In the interests of certainty, conditions specifying approved plans and restricting the number of dwellings to that applied for are necessary (conditions 3 and 4). To ensure the retention of existing trees and natural features, protection measures are required (condition 5). In the interests of ecology, a biodiversity mitigation and enhancement strategy, landscape ecological management plan, and nutrient neutrality scheme are necessary (conditions 6, 7 and 13). To ensure that the development is in keeping with the appearance of the surrounding area, a landscaping scheme and levels details are required (conditions 8 and 19). An external lighting scheme is necessary to prevent light pollution, ensure sensitive habitats are not adversely impacted and protect living conditions (condition 9). Also to protect living conditions, a construction environmental management plan, a construction method statement and noise impact assessment are required (conditions 10, 11 and 12).

59. To ensure that drainage of the site is suitably managed, a surface water drainage scheme is necessary (condition 14). To ensure good connectivity of the site, a connection to the existing PROW network is appropriate (condition 15). Given the potential for archaeological remains within the site, a programme of archaeological works is justified (conditions 16 and 17). In the interests of sustainability and protection of ecological designations, a water efficiency scheme is necessary (condition 18). A suggested condition requiring surveys of downstream culverted connections to the public sewer network is not necessary as the drainage scheme would be designed to deliver betterment through reduction of run-off rates and, consequently, would not impact upon downstream infrastructure.

Planning balance and conclusion

60. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. For the above reasons, the proposed development is in conflict with the identified development plan policies and with the development plan as a whole. In ascribing weight to the planning balance, the scale used is; limited, moderate, significant and substantial.

61. The Framework is a material consideration, and this states that decisions should apply a presumption in favour of sustainable development. As set out above, the Council cannot demonstrate a five year supply of housing land, as required by paragraph 78 of the Framework. Paragraph 11(d) of the Framework indicates in these circumstances that the policies that are most important for determining the application should be considered as out of date. For the purposes of this appeal therefore, the above identified policies are of reduced but nonetheless still significant weight.

62. The proposal has a number of benefits. The provision of up to 300 houses including up to 90 affordable homes would make a considerable contribution to housing delivery in light of the acute shortfall of supply, notwithstanding steps being taken by the Council to address this. I give this substantial weight. Economic

benefits would occur during construction as well as after with increased spend from residents in the locality, attracting moderate weight. The provision of green infrastructure is a policy requirement, but this open space would also be available for use by existing residents in the locality, thereby attracting limited weight. Biodiversity net gains are anticipated and afforded limited weight. Other infrastructure and community provisions include roads mitigation, employment and skills obligation, community worker, Solent mitigation strategy and surface water betterment, which all have minor degrees of benefit for the wider public and attract limited weight.

63. In terms of harms, the conflict with the locational aspects of the spatial strategy would cause limited harm, based as it is on outdated housing requirements. The proposal would result in the loss of open countryside, although for the reasons given above, the harm would be limited. The loss of BMV attracts limited negative weight. The risk of flooding on Langstone Bridge is low and the risk of a requirement for emergency care being required which is not on the island is also low, such that the overall adverse effect of the risk of flooding is limited. I have already carried out a heritage balance above and the harm to significance of the Church of St Marys attracts limited weight in the overall planning balance.

64. In terms of paragraph 11(d) and footnote 7 of the Framework, there are no policies of relevance to this appeal that provide a strong reason for refusal. Therefore, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, and having had particular regard to key identified policies.

65. Drawing together the above harms and benefits, the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits. Although the proposal would conflict with the development plan as a whole, material considerations indicate a decision other than in accordance with it.

66. I conclude that planning permission should be granted subject to the conditions in the attached schedule.

P Hanna

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Melissa Murphy KC, instructed by Gladman Developments Limited

She called:

David Stoddart BA(Hons) CILT MCIHT TPS	Prime Transport
Mark Rose BSc(Hons) MSc Cecol CIEEM	CSA Environmental
Scott Dawson BSC(Hons) MSc MCIWEM CWEM	Enzygo
Peter Dutton BA(Hons) MA MRTPI	Gladman

FOR THE LOCAL PLANNING AUTHORITY:

David Jobbins	Luken Beck
Phillip Holdcroft	Luken Beck
Alex Russell	Havant BC

FOR THE RULE 6 PARTY HAYLAND ISLAND RESIDENTS ASSOCIATION:

Jessica Allen, instructed by Lily Hartley-Matthews of Leigh Day

She called:

Stephen Lawrence BSc(Hons) DipTP DipUD MRTPI	Achieve Planning
Jonathon Raper BA(Hons) PdD FRGS	HIRA
Lily Hartley-Matthews BA LPC LLM	Leigh Day

INTERESTED PARTIES:

Jonathon Hulls	Hayling West Ward Councillor
Wilf Forrow	Hayling West Ward Councillor
Netty Shepherd	Hayling East Ward Councillor
Robin Davidson	Marine Walk Residents Association
Dave Parham	Save Our Island
Chris Pearsall	Save Rook Farm
Chris Brown	Local resident
Ellena Demetriou	Local resident
Catherine Mitchell	Local resident

Alison Quinton	Local resident
Fiona Ridley	Local resident
Anne Skennerton	Local resident
Richard Wilson	Local resident
Phillip Barratt	Local resident
John Meacham	Local resident

DOCUMENTS

INQ1	Appellant appearances
INQ2	Highways statement of common ground between appellant and Council
INQ3	Council opening statement
INQ4	Appellant opening statement
INQ5	HIRA appearances
INQ6	HIRA opening statement
INQ7	Notification of inquiry
INQ8	Highways statement of common ground between appellant and HIRA (unsigned)
INQ9	Flooding statement of common ground between appellant and HIRA
INQ10	Full version of LCWIP (replacement of CD8.02)
INQ11	Ecology statement of common ground between appellant and HIRA
INQ12	Land erosion and sea level rise drawing (CD7.30)
INQ13	Highways statement of common ground between appellant and HIRA (signed)
INQ14	Site visit itinerary
INQ15	Site visit itinerary map
INQ16	Notification of amendment to red line application boundary
INQ17	Appellant final modelling note
INQ18	HIRA closing submission
INQ19	Appellant closing submission
INQ20	Draft s106 unilateral undertaking
INQ21	Revised suggested conditions
INQ23	Signed s106 unilateral undertaking dated 8 July 2026
INQ24	Agreed note on emerging local plan

CONDITIONS

1) The development hereby permitted shall start before the expiration of 3 years from the date of this permission or 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

2) Before any development hereby permitted commences, approval of the appearance, landscaping, layout and scale (hereinafter called the reserved matters) shall be obtained from the local planning authority. Detailed plans and particulars of the reserved matters shall be submitted in writing not later than 3 years from the date of this permission and shall be carried out as approved.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (drawing number 74778-L-05 Rev E), Proposed Access Arrangement (drawing number P21033-001J), and Parameters Plan (drawing number 7478-P-02 Rev H).

4) The development hereby permitted shall compromise no more than 300 dwellings.

5) Prior to any development or groundworks commencing on site, details of tree protective measures, including fencing and ground protection, in accordance with the recommendations of the arboricultural assessment prepared by FPCR, dated December 2021, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be undertaken in accordance with the approved details. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

6) Prior to, or concurrently with, the submission of the first reserved matters application, a strategy outlining biodiversity mitigation and enhancement measures (BMES) to be undertaken in relation to the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The BMES shall be informed by the ecological avoidance and mitigation measures detailed within the Ecological Impact Assessment prepared by CSA Environmental, dated July 2025 (Ref. CSA/4956/14). The development shall thereafter be designed, carried out and managed in accordance with the approved BMES.

7) Prior to, or concurrently, with the submission of the first reserved matters application relating to landscaping, a landscape ecological management plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:
   (a) details (type and location) of any on-site mitigation and enhancement measures) to be managed;
   (b) description and evaluation of features to be managed;
   (c) ecological trends and constraints on site that might influence management;
   (d) aims and objectives of management;
   (e) appropriate management options for achieving aims and objectives;
   (f) prescriptions for management actions;
   (g) preparation of a work schedule including an annual work plan;
   (h) details of the body or organisation responsible for implementation of the plan; and
   (i) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

8) The landscaping scheme required by condition 2 of this permission shall incorporate a detailed specification of hard and soft landscaping works to include details of the following:
(a) types and sizes of all plant/tree species to be planted on the site;
(b) numbers and densities of all plants to be planted on the site;
(c) soil specification;
(d) seeding and turfing treatment within the site;
(e) colour and type of material for all public hard surface areas and private areas visible from the public realm;
(f) watering maintenance regime for all areas of new planting; and
(g) programme and timetable for implementation of the above works.
All planting, seeding or turfing and hard surface areas contained in the approved details of the landscaping scheme shall be carried out in accordance with the approved implementation programme. Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years of being planted shall be replaced in the next planting season in accordance with the approved landscaping scheme.

9) No external lighting shall be installed until an external lighting scheme has been submitted to and approved in writing by the local planning authority. The submitted details shall include a layout plan with beam orientation and a schedule of lighting equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained, and operated in accordance with the approved details.

10) No development shall commence on site until a construction environmental management plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. Thereafter all works shall be carried out in accordance with the approved CEMP throughout the construction phase of the development. The CEMP shall include:
(a) development contacts, roles and responsibilities;
(b) a phasing plan and programme for carrying out the development;
(c) details of the parking of vehicles for site operatives and visitors;
(d) a public communication strategy, including a complaints procedure;
(e) details of the loading and unloading of plant and materials;
(f) details of the storage of plant and materials used in constructing the development;
(g) details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
(h) details of wheel washing facilities;
(i) measures to control the emission of dust and dirt during construction including a site-specific dust management plan resulting from a risk

assessment as detailed in IAQM document 'Guidance on the assessment of dust from demolition and construction 2024';
(j) measures to control noise and vibration during construction;
(k) a scheme for recycling/disposing of waste resulting from construction works; and
(l) confirmation that no burning of waste materials shall take place on site.

11) No development commence on site until a construction method statement has been submitted to and approved in writing by the local planning authority, which shall include:
(a) a programme of and phasing of all construction work, having regard to any works of refurbishment of the A3023 Langstone Bridge;
(b) the provision of long-term facilities for contractor parking;
(c) a requirement that construction of the development including site traffic and deliveries shall only be carried out between 0800 and 1800 Mondays to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and Public Holidays;
(d) the arrangements for deliveries associated with all construction works;
(e) methods and phasing of construction works;
(f) access and egress for plant and machinery;
(g) protection of pedestrian routes during construction; and
(h) location of temporary site buildings, compounds, construction material, and plant storage areas.
Construction work shall only take place in accordance with the approved method statement.

12) Prior to the approval of any reserved matters application that includes layout and/or landscaping, a noise impact assessment shall be submitted to and approved in writing by the local planning authority. The assessment shall:
(a) provide further environmental noise survey to cover day and night time periods and to include weekdays and weekends;
(b) be prepared in accordance with ProPG: Planning & Noise (2017) (including the four key elements of Stage 2);
(c) ensure that internal and external noise levels for the proposed residential accommodation comply with the guideline values stated in BS 8233:2014 and ProPG;
(d) demonstrate that the noise rating from any commercial or industrial source does not exceed the typical background noise level at the boundary of any approved residential premises or is otherwise shown to result in a low impact in accordance with BS 4142:2014+A1:2019.
The approved scheme shall be implemented in full prior to occupation of any dwelling and shall be maintained and retained thereafter.

13) No development shall commence until a scheme to achieve nutrient neutrality for the development has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include:
(a) confirmation of the total nutrient budget for the development;
(b) confirmation of the measures that will be secured to satisfactorily mitigate the total nutrient budget for the development, which may include i) a bespoke mitigation solution or ii) the purchase of nutrient credits;
(c) where (i) a bespoke mitigation solution is proposed, a management plan to ensure the solution achieves the required level of nutrient mitigation for a minimum in-perpetuity period of 80 years, and where (ii) it is the intention to

purchase nutrient credits, confirmation that the nutrient credits have been secured for the minimum 80 year in-perpetuity period, including details of the mitigation provider and associated credit allocation.

The development shall thereafter be carried out in accordance with the approved scheme.

14) No development shall commence on site until a surface water drainage scheme for the site has been submitted and approved in writing by the local planning authority. The submitted details should include:
(a) a technical summary of the surface water drainage design;
(b) detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients;
(c) detailed hydraulic calculations demonstrating existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change. The hydraulic calculations should take into account the connectivity of the entire drainage network including the discharge location. The hydraulic model report should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical simulation results by maximum level for the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same references as the submitted drainage layout;
(d) evidence that urban creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this;
(e) confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained;
(f) confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753;
(g) exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria;
(h) details for the long-term maintenance arrangements for the surface water drainage system. The submitted details shall include maintenance schedules for each drainage feature type and ownership.

No dwelling shall be occupied until the approved surface drainage scheme to serve that dwelling has been implemented in full.

15) Reserved matters to be submitted under condition 2 above shall include details of a connection to the site's boundary to facilitate an onward link to public right of way footpath 108/93/1 in accordance with the principles shown on drawing number P21033-AT-001B. The connection shall be completed and made available for public use prior to the first occupation of any dwelling on the site.

16) No development shall take place until the applicant has secured the implementation of a programme of archaeological evaluation and mitigation, in accordance with a written scheme of investigation that has first been submitted to and approved by the local planning authority. The programme of archaeological evaluation and mitigation shall thereafter be implemented in accordance with the approved details.

17) Within 6 months of the completion of any archaeological fieldwork, a post excavation assessment shall be submitted to and approved in writing by the local planning authority. The assessment will include details of any post-excavation analysis that has been completed and (where applicable) arrangements for publication and public engagement on the assessment's findings.

18) No dwellings hereby permitted shall be occupied until:
(a) a water efficiency calculation in accordance with the Government's national calculation methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the local planning authority; and
(b) all measures necessary to meet the approved water efficiency calculation have been installed.

19) In addition to those matters required by condition 2 above, details of existing and proposed finished floor levels relative to site levels, shall be submitted with the reserved matters. The development shall be undertaken in accordance with the approved details.

End of schedule