



Appeal Statement

East Leigh House, Bartons Road, Havant

Appeal against refusal of planning permission for 5 x 1
bedroom bungalows for over 55's.

December 2020

Louise Cutts BA(Hons) Dip TP MRTPI

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1 Qualifications and Experience

- 1.1 I hold a 2:1 Planning Studies Bachelor of Arts Honours degree, and a Diploma in Urban Planning from Oxford Brookes University. I am a member of the Royal Town Planning Institute.
- 1.2 I have worked in Hampshire since 1996. From 1996 to 2014 I worked at Eastleigh Borough Council as a Senior Planning Officer and then as a Principal Planning Officer in the Major Applications Team.
- 1.3 I have practised as planning consultant since September 2014. I established my Town Planning practice, Wessex Planning Ltd, in September 2016, specialising in small to medium scale residential development.
- 1.4 I was instructed to appeal against the refusal of planning permission November 2020.

2 Refusal Reasons

2.1 The appeal development was refused planning permission by Havant Borough Council on 20 November 2020 for the following two reasons:

In the absence of a suitable agreement to secure appropriate mitigation measures, the development would be likely to have a significant effect on the water quality of the Solent European Sites as specified in the Habitats Regulations Assessment that has been undertaken on this planning application. As such, it is contrary to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 policies E16, EX1 and E12 of the Pre-Submission Havant Borough Local Plan 2036, paragraph 175(a) of the NPPF and The Conservation of Habitats and Species Regulations 2017 (as amended).

The proposed development would be located within the immediate setting of a designated heritage asset (Eastleigh House), (the setting of which forms part of its significance), and is considered to result in significant harm to the setting. The application fails to assess the significance of this asset, including the contribution made by its setting and the impact that the proposed development would have on the significance of the designated heritage asset. It is therefore contrary to policies CS11 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of Havant Borough Local Plan (Allocations) 2014, emerging policy E13 of the Pre-Submission Havant Borough Local Plan 2036 and the National Planning Policy Framework.

The proposed development would adversely impact on the amenity area of the future occupiers of Eastleigh House and would amount to an overdevelopment of the site due to inadequate amenity space for future occupiers of the development, which would be significantly harmful to the amenity of residents. The amenity space of plots 4 and 5 would also be dominated by adjacent trees further negatively impacting their amenity value. The proposal is therefore contrary to the adopted Borough Design Guide SPD 2011, policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, emerging policies E1 and H1 of the Pre-Submission Havant Borough Local Plan 2036, and the National Planning Policy Framework.

3 Rebuttal of Refusal Reason 1

- 3.1 During the application stage, it was agreed with Havant Borough Council that an agreement would be entered into to make a payment towards Havant's nitrogen mitigation scheme. In this situation the Council would have carried out an Appropriate Assessment confirming no likely significant effects as a result of the proposal.
- 3.2 In the absence of this payment, an agreed Unilateral Undertaking is being prepared and will be submitted with this appeal to address the nitrate mitigation issues. With this Unilateral Undertaking in place, the Council has confirmed its agreement not to defend its first reason for refusal.
- 3.3 The Unilateral Undertaking undertakes to pay an amount that will allow Havant Council to continue to maintain and monitor an area of farmland in a manner that prevents any additional nitrates being applied to the land, in effect creating nitrate 'headroom' for the development.

4 Rebuttal of Refusal Reason 2

- 4.1 The second reason for refusal suggests that the proposal would cause significant harm the setting of the listed building, which is considered to contribute to its significance. Also, that the appellant failed to assess the significance of the listed building including the contribution of the setting of the listed building towards this significance and the impact of the development upon this significance.
- 4.2 In response, there is nothing within the formal listing of the building which suggests that the setting of the building contributes towards its significance (which the Framework suggests is the minimum level of analysis acceptable).
- 4.3 Historic England's List Entry (List UID: 1091643) states that:

'House. Mainly circa 1820, with a north-west wing of older date, obscured by rendering and later features. Brick, with a slate roof. Almost square block of 2 storeys and cellar. The symmetrical front (south) has 3 windows; low-pitched roof with spaced plain mutules set against a fascia, yellow brick walls in Flemish bond (headers to the curved walling), rubbed flat arches and stone cills. Sashes in reveals. The doorway is a reeded architrave, enclosing a plain fanlight and 6-panelled door, now enclosed in a late C19 large, glazed porch. The west elevation, with similar treatment, has 3.1 windows, the north side being a 2-storeyed semi-circle with 3 windows: the older lower wing extends northwards. The east side has 3.1.2 windows, the south side semi-circular walls having 3 windows to the ground floor, and 1 to the 1st floor (raised in style at a later date); large central modern porch with glazed roof. Some contemporary fireplaces.'

- 4.4 The building itself will not be impacted.
- 4.5 The level of harm to its setting, however, has been suggested by the Council's Heritage Officer as 'less than substantial' rather than 'significant' as the reason for refusal states. This is very important, as the National Planning Policy Framework is clear that there are only two levels of harm - 'substantial' or 'less than substantial'. The impact assessment required for the former level of harm is much more onerous than the assessment required for the latter.
- 4.6 At Paragraph 196 of the Framework its stages:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

4.7 It is clear, from the officer report, that the correct balancing exercise has not taken place. Instead of using the balancing exercise for ‘less than substantial harm’ (where public benefits are balanced against the harm), the balancing exercise for ‘substantial harm’ has been used (where the acceptance of harm caused should be exceptional with only ‘substantial public benefits’ used in the balance).

4.8 In carrying out the correct balancing exercise, there is nothing in planning policy or guidance that suggests that the need to retain the significance of heritage assets is ‘critical’, unlike planning practice guidance on homes for the elderly. If this balancing exercise had taken place it would clearly have meant that the proposal should have been approved.

4.9 Paragraph 1 of national planning practice guidance states:

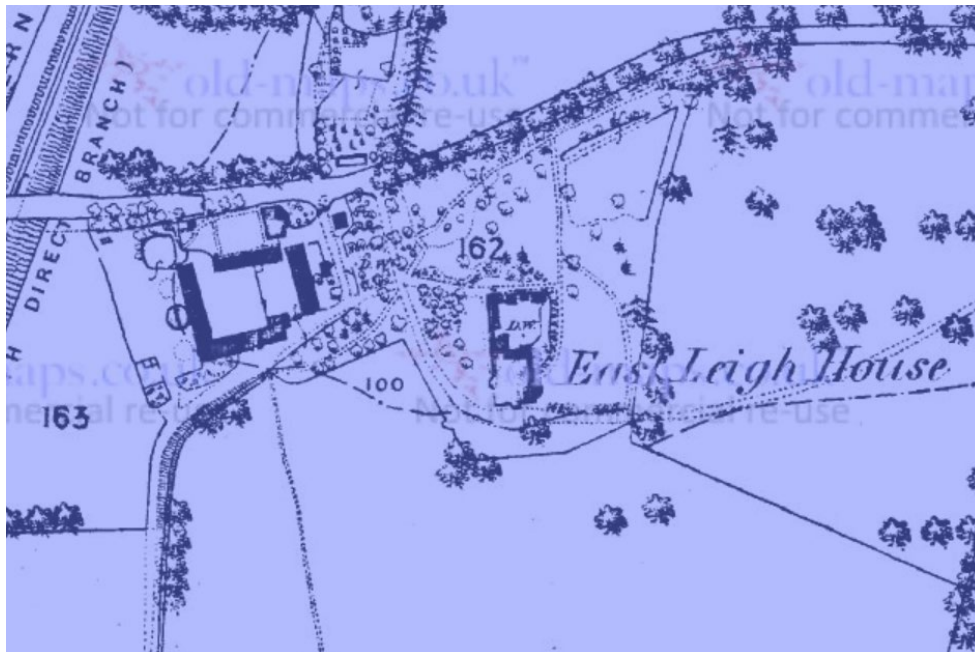
“The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.”

4.10 It is also clear that the Local Planning Authority have not looked for the opportunity for new development to enhance the heritage asset or its setting as is required in Paragraph 200 of the Framework. When one considers the photographs showing how the land to the south has been developed, it is clear to see that the view from the Listed Building (which is also contributes to its history and significance) is now not one of open fields stretching into the long distance, but of fairly ugly volume housebuilder fare in immediate proximity to the site, ruining any original setting.

4.11 The appeal development proposes a new setting – one that is protected from this view and ‘contained’ through the provision of the subservient, simple, single storey development. Simply through such close proximity to the listed building, such development would provide the more visually dominant development, over the unattractive two storey volume housebuilder housing to the south. Much like the provision of a ‘visual shield’, the proposed development would provide a new enclosed setting enhancing the significance of the Listed Building.

4.12 Such low level buildings attached to such properties are not historically unexpected. 19th century homes such as these often came with several ancillary buildings - low level barns, coach houses, stables, a gardener's bothy, ice-houses, a dairy etc. Evidence for such is indeed provided by the historical maps for this particular site showing that such ancillary buildings were present historically (See below).

4.13 1868 Map



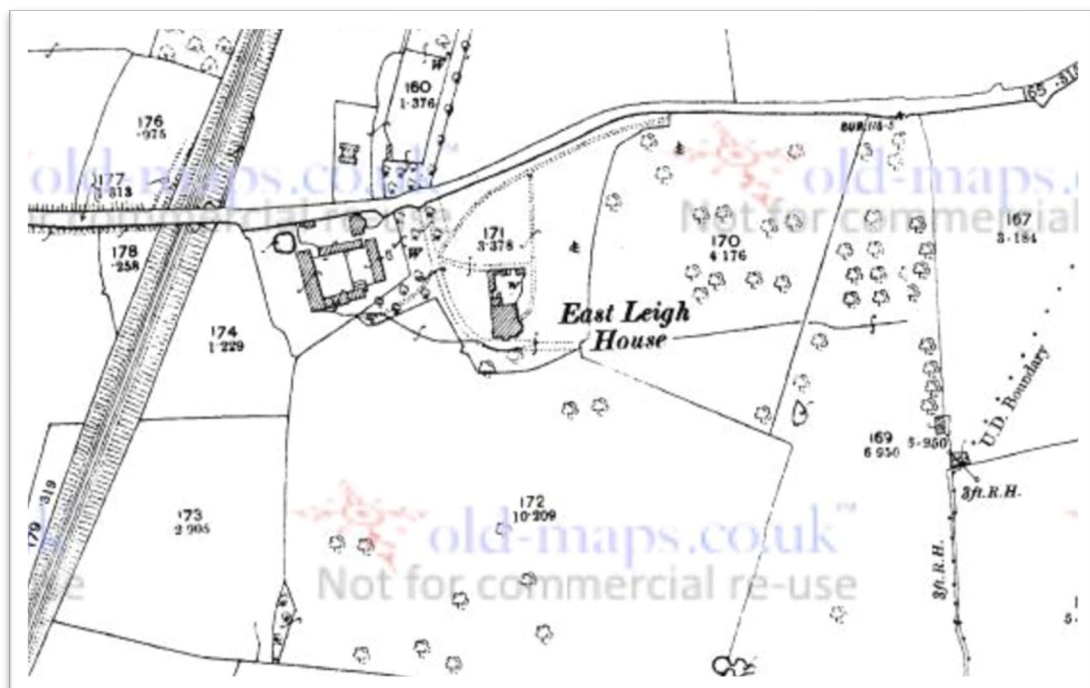
4.14 1879 Map



4.15 1897 Map



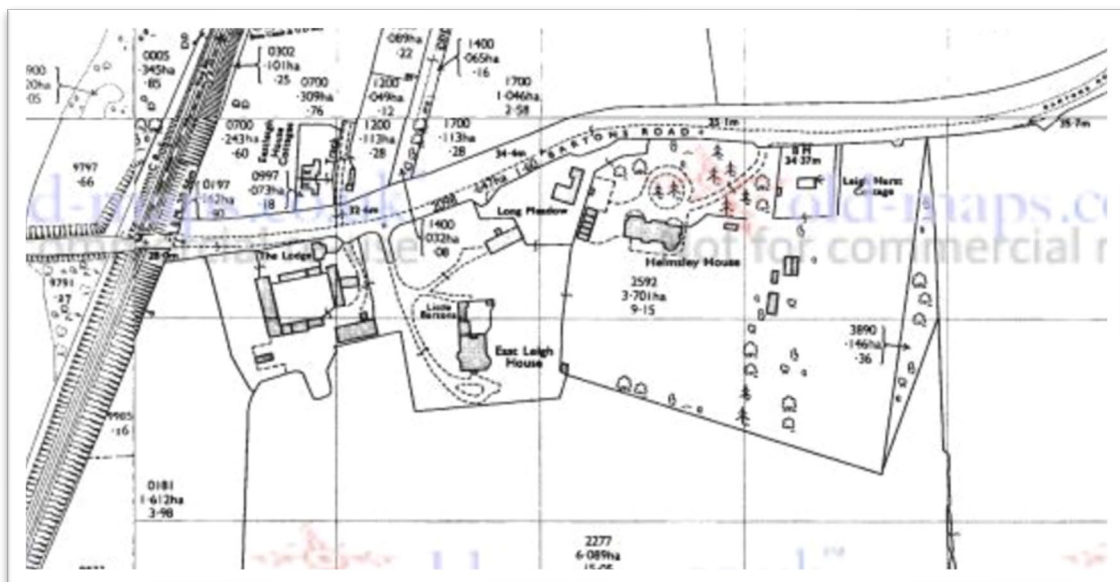
4.16 1932 Map



4.17 1938-46 Map



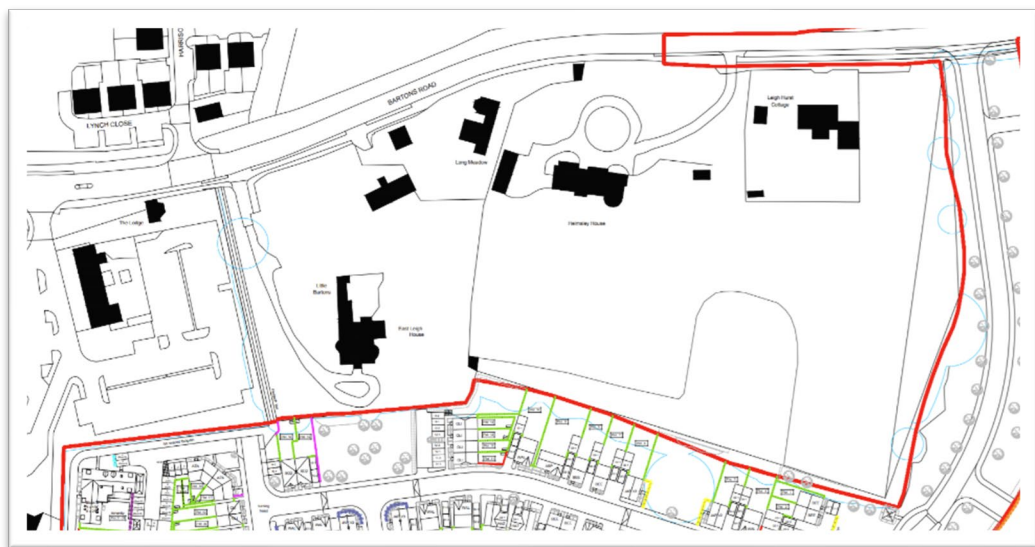
4.18 1991 Map



4.19 As Historic England guidance advises in relation to the setting and the significance of heritage assets (The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)):

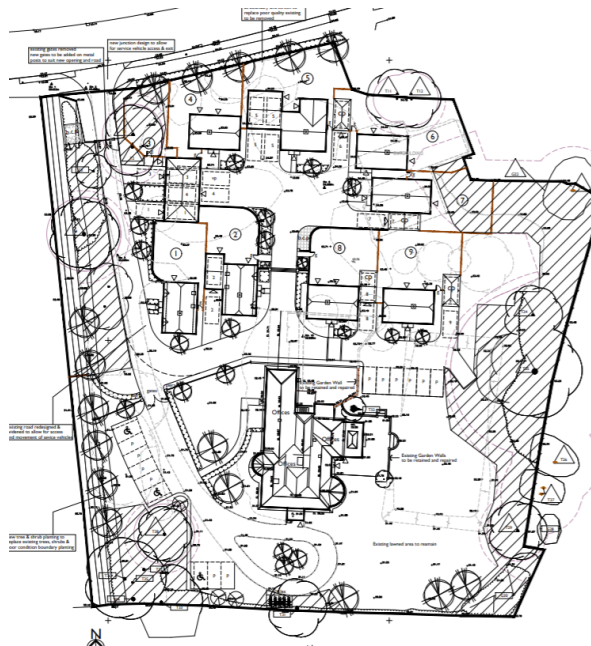
"Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated ... its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance".

4.20 The original setting of East Leigh House has been much denigrated by the recent planning permission for 175 two storey dwellings to the south – see plan and photos below.





4.21 Permission for 10 houses has also recently been granted to the north of the Listed Building (see plans below).



4.22 It is abundantly clear that the significance of the building itself lies in its architectural character and its history as a single residence. With its 'face' towards the south, its private amenity would have been to the north and east, where the development of 10 dwellings has recently been given permission.

4.23 Whilst it could be said that any remaining area left around the building is of more value in its contribution towards a 'setting' for the listed building and is therefore significant, this approach is far too indiscriminate'. A much more fine-grained analysis is required, which was proffered at the application stage.

4.24 The Historic England guidance note continues in relation to changes in setting over time:

"Settings of heritage assets change over time. Understanding this history of change will help to determine how further development within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset. Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance but settings which have changed may also themselves enhance significance, for instance where townscape character has been shaped by cycles of change over the long term."

4.25 The guidance note continues:

"Views and setting - The contribution of setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or place which can be static or dynamic, long, short or of lateral spread, and include a variety of views of, from, across, or including that asset."

4.26 The note suggests a stepped approach is employed. Step 1 identifies the asset, its setting and views, Step 2 should assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated – a helpful checklist is provided. (see below)

Assessment Step 2 Checklist

The starting point for this stage of the assessment is to consider the significance of the heritage asset itself and then establish the contribution made by its setting. The following is a (non-exhaustive) check-list of potential attributes of a setting that may help to elucidate its contribution to significance. It may be the case that only a limited selection of the attributes listed is likely to be particularly important in terms of any single asset.

The asset's physical surroundings

- Topography
- Aspect
- Other heritage assets (including buildings, structures, landscapes, areas or archaeological remains)
- Definition, scale and 'grain' of surrounding streetscape, landscape and spaces
- Formal design eg hierarchy, layout
- Orientation and aspect
- Historic materials and surfaces
- Green space, trees and vegetation
- Openness, enclosure and boundaries
- Functional relationships and communications
- History and degree of change over time

Experience of the asset

- Surrounding landscape or townscape character
- Views from, towards, through, across and including the asset
- Intentional intervisibility with other historic and natural features
- Visual dominance, prominence or role as focal point
- Noise, vibration and other nuisances
- Tranquillity, remoteness, 'wildness'
- Busyness, bustle, movement and activity
- Scents and smells
- Diurnal changes
- Sense of enclosure, seclusion, intimacy or privacy
- Land use
- Accessibility, permeability and patterns of movement
- Degree of interpretation or promotion to the public
- Rarity of comparable survivals of setting
- Cultural associations
- Celebrated artistic representations
- Traditions

4.27 Step 3 encourages an early assessment as to harm through the principle of development alone; through the scale, prominence, proximity or placement of development; or through its detailed design. Again, a helpful checklist is provided (see below).

Assessment Step 3 Checklist

The following is a (non-exhaustive) check-list of the potential attributes of a development affecting setting that may help to elucidate its implications for the significance of the heritage asset. It may be that only a limited selection of these is likely to be particularly important in terms of any particular development.

Location and siting of development

- Proximity to asset
- Position in relation to relevant topography and watercourses
- Position in relation to key views to, from and across
- Orientation
- Degree to which location will physically or visually isolate asset

Form and appearance of development

- Prominence, dominance, or conspicuousness
- Competition with or distraction from the asset
- Dimensions, scale and massing
- Proportions
- Visual permeability (extent to which it can be seen through), reflectivity
- Materials (texture, colour, reflectiveness, etc)
- Architectural and landscape style and/or design
- Introduction of movement or activity
- Diurnal or seasonal change

Wider effects of the development

- Change to built surroundings and spaces
- Change to skyline, silhouette
- Noise, odour, vibration, dust, etc
- Lighting effects and 'light spill'
- Change to general character (eg urbanising or industrialising)
- Changes to public access, use or amenity
- Changes to land use, land cover, tree cover
- Changes to communications/accessibility/permeability, including traffic, road junctions and car-parking, etc
- Changes to ownership arrangements (fragmentation/permitted development/etc)
- Economic viability

Permanence of the development

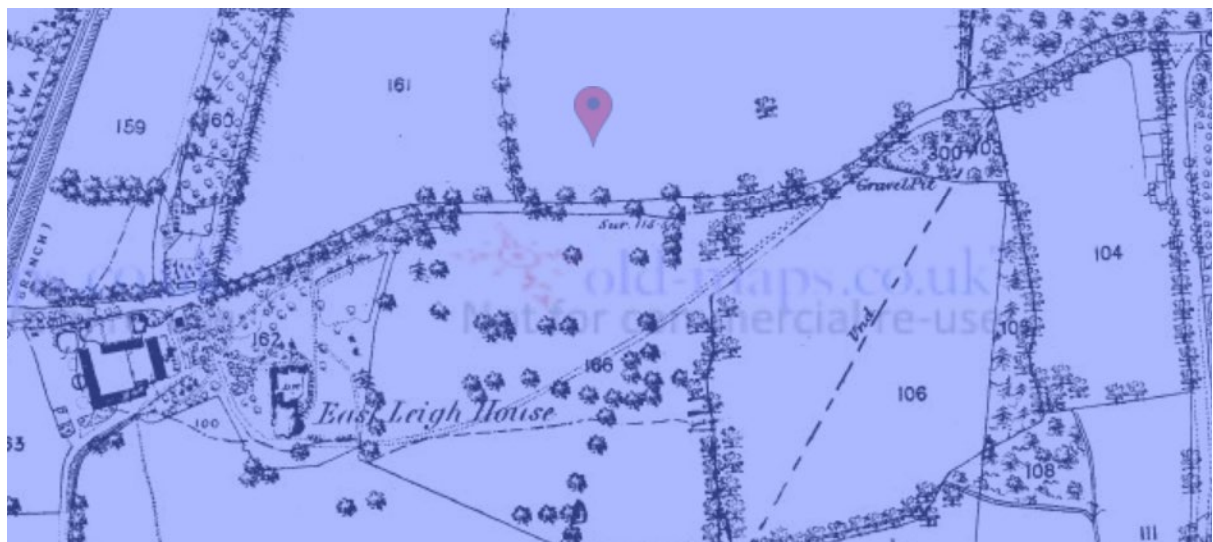
- Anticipated lifetime/temporariness
- Recurrence
- Reversibility

4.28 Step 4 requires the exploration of methods to maximise enhancement and avoid or minimise harm. The note advises that maximum advantage can be secured if any effects on the significance of a heritage asset arising from development likely to affect its setting are considered from the project's inception. Importantly the guidance note suggests that enhancement may be achieved by introducing new views (including glimpses or better framed views) that add to the public experience of the asset.

4.29 These steps have been employed in the proposal. The setting has changed over the years and it is too simplistic to conclude that the setting of the building is simply now the "Space Left Over After Planning" (SLOAP).

4.30 East Leigh House was probably originally designed as a residence of some substance, probably for a gentleman farmer, set in its own private grounds and positioned to both impress and to take advantage of the long views southwards over the countryside to the south.

4.31 The access drive once continued past the southern elevation of the house turning north-eastwards again to meet up with Bartons Road. Therefore, this south eastern corner was always 'cut off' from the lawned eastern amenity area historically.



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- 4.32 The development around the site means that any remaining setting needs to be planned and 'contained' in way that is permanent and contributes to the appreciation of the asset (the Listed Building).
- 4.33 The Listed Building itself has been divided into 6 flats, 3 accessed from the southern entrance with 3 accessed from the rear northern access. Whilst there is no direct access to the eastern garden there are views from the windows of the listed building that overlook this remaining area, and this area is now the obvious area for quiet shared amenity, separate from the hustle and bustle of the northern, southern and western aspects.
- 4.34 The south-eastern garden area is neither part of the entrance area or part of the natural private amenity area, with its 'busy' outlook of large new housing estate. What is required is the 'enclosure' of the eastern garden area to create a new sympathetic and permanent setting.
- 4.35 The opportunity to enclose and contain this private amenity area and create a new setting for the building in a manner that is sympathetic to its original character has been taken with the proposal.

4.36 It is easy to imagine a gardener's bothy/game larder/summerhouse in the location of the proposed bungalows, and the design of the bungalows is simple enough to be imagined as a conversion of such with their brick fades beneath slate tiled roofs.



Site Layout

4.37 The introduction of this new, enclosed setting, and new attractive views, whilst protecting the communal gardens from external visually detrimental influences can only enhance the current setting of the Listed Building, maintaining its significance, permanently.

4.38 If the Inspector considers that the proposals cause harm, rather than enhancement, to the setting, then this harm has been confirmed by the Local Planning Authority's heritage officer as 'less than substantial'.

4.39 To weigh any 'less than substantial harm' against public benefits, it is useful to understand exactly what 'public benefits' are defined as.

4.40 National Planning Policy Guidance, an online resource, defined public benefits in the following manner:

"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit."

4.41 Whereas the setting of this building is enjoyed only as a private benefit, the public benefit associated with the provision of 5 retirement bungalows is of great magnitude. As described in national planning practice guidance, the need for such housing is 'critical'.

4.42 There are various policies in the Havant Local Plan that encourage the provision of market housing for the elderly in sustainable locations which this is. The site is just 13 minutes' walk from a post office, and near very many other facilities and amenities. There is also a footpath/cycleway immediately adjacent to the western boundary of the site which routes southwards to the residential area to the south which includes a shop and other facilities.



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- 4.43 More importantly the Local Planning Authority consider the public benefit of providing housing for the elderly population as ‘negligible’ This is contrary to the recognised critical need for such and Havant’s own evidence as supplied in their Specialist Housing paper of July 2020(attached at Appendix 2).
- 4.44 The Inspector is invited to note that at Paragraph 3.19, Havant expect 30% of their population to be aged 60 or over by 2036 and that it is recognised that there is a need to provide dwellings that are sufficiently flexible for changing lifestyles. That means that the provision of such homes in Havant is not keeping up with the pace of demand.
- 4.45 It is also known that a correlation exists between increasing age and disability needs. The provision of 5 bungalows for the elderly can assist with both of these issues. Firstly, homes that are specifically designed for the elderly but that can also be adapted for the disabled.
- 4.46 The age profile of Havant residents is increasing faster than housing delivery for these specialist group can keep up. The gap between need and provision is widening with every year that passes.
- 4.47 It is also true that not every elderly person wants to live in an affordable dwelling or a specialist retirement block or village. Many elderly people remain active and wish to live in attractive surroundings in market housing within mixed and balanced communities. The appeal proposals provide this option.
- 4.48 The retirement homes proposed constitute a public benefit for which the need is ‘critical’. Havant recognises this need but has not delivered to demand. The need to boost delivery remains and this factor has been given insufficient weighted by the Council in the required balancing exercise.

5 Rebuttal of Refusal Reason 3

- 5.1 This reason suggests that insufficient amenity space would be retained for the occupiers of East Leigh House, and that proposed bungalow plots 4 and 5 of the development would be dominated by trees ‘further affecting their amenity value’.
- 5.2 In relation to the first element of this reason for refusal, significant amenity space is retained for amenity as part of the proposals on all sides of the property. For the dwelling occupiers that enter and exit the building from its ‘rear’, there is amenity space to the north and to the west. For the occupants that exit and enter the building to its ‘front’, a choice of amenity area is also available from the sunny eastern aspect of the paved terraced area nearest the building, to the proposed shared open soft landscaped space beneath, to the more shaded end of the garden beneath the larger trees on the boundary.
- 5.3 The loss of amenity area upon which the bungalows are proposed to be constructed is extremely unlikely to impact amenity levels to the unacceptable extent alleged. Not only can this area be considered the ‘front garden’ area unlikely to be used for amenity, but it was historically common for garden buildings to be constructed near to 19th century rural homes, and ‘infringe’ upon their garden areas. The proposed bungalows would follow this characteristic.
- 5.4 The amenity areas for the bungalows are split between their private rear garden areas, and the communal garden areas shared with East Leigh House. Perhaps the Local Planning Authority were assuming that the only amenity area for Plots 4 and 5 was to their rear? It is confirmed that this is not the case. All of the bungalows will have access to the shared communal space. Therefore, it matters less if parts of their amenity area are shaded at some points in the day. Indeed, such concerns were not mentioned by the Local Planning Authority with many of the plots recently granted planning permission and constructed to the north of the building, many of whose gardens face north or are beneath trees, with no communal area to share.

6 Conclusion

- 6.1 It is considered that the proposal has been fully justified in terms of its impact upon East Leigh House, a Grade II Listed Building, and its provision of amenity space.
- 6.2 In providing a new setting for a building whose original setting has vanished beneath volume housebuilding, it is considered important to contain the private communal garden area to the east.
- 6.3 The manner in which this is proposed to be contained recognises this part of the garden area's historic separation by an internal access road (see old maps above) and the often-found characteristic of ancillary garden buildings within such 19th century gardens. From the historical evidence, there were indeed ancillary buildings present within the grounds of this building in the past.
- 6.4 In shielding the new setting from the unattractive housing to the south, the proposal permanently encloses this private communal garden area in a manner which can easily be imagined to be the conversion of ancillary garden structures e.g., gardener's bothy/icehouse/summerhouse.
- 6.5 As a fully justified enhancement to the original Listed Building, no balancing against any public benefits is required, as no harm has been caused. If, however, the Inspector does consider that 'less than substantial harm' is caused by the proposals, the benefit of providing critically needed homes for the elderly by far outweighs any harm caused. The Listed Building remains intact and a new permanent and more attractive enclosed setting is created, that is historically appropriate and five new single storey retirement dwellings are created, offering a substantial social planning benefit.
- 6.6 It is therefore respectfully requested that the Inspector allows the appeal. Without these new buildings, the Listed Building will languish in an outdated and inappropriate setting, reducing the overall significance of the Listed Building.
- 6.7 Courage is required to artificially change the setting of a Listed Building to allow its better appreciation and enhancement of significance, but that is what is now needed as a result of past decisions that have incrementally harmed the setting of this Listed Building.

7 Appendices

- 7.1 Appendix 1 – Unilateral Undertaking correspondence – Unilateral Undertaking to follow.
Re payment of contributions towards nitrate mitigation scheme, Natural England's response and Appropriate Assessment
- 7.2 Appendix 2 – Specialist Housing Paper July 2020

APPENDIX 1

From: [Wells, Lesley](#)
To: [Louise Cutts](#)
Subject: RE: Appeal for EastLeigh House
Date: 16 December 2020 09:25:40
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Louise

As to the mitigation for nutrients the matter has been discussed further with my colleagues, where it has now been confirmed that the LPA cannot carry out an HRA and AA and then consult Natural England (NE) until the appeal is lodged. This is the same approach taken with pre-applications dealt with by the LPA. However, once this matter is resolved with the legal agreement signed and payment provided, it will be made clear to PINs in our statement that the appropriate mitigation has been provided and that the LPA will not be raising this as a matter for refusal. This is notwithstanding that PINs will have to carry out their own HRA and AA as the competent authority, when the appeal is determined.

As to the Nutrient Budget Calculation submitted, the following is incorrect:

- Stage 1, Step 1 number of units (i.e. 5) needs to be added and then the subsequent calculation worked out from these units.
- Stage 2, Step 2, the site falls within the urban development category, not the box ticked which would affect the calculations.

When you return the revised budget calculation this will be checked to ensure it is correct, to ensure no delay later on. When returning this document would you please also provide a completed updated European sites avoidance and mitigation checklist. Following the lodging of the appeal, an HRA and AA will be carried out by the LPA and NE consulted.

I look forward to receiving the revised details in due course, which I will deal with in the New Year, as tomorrow is my last working day this year.

Many thanks and compliments of the season,

Regards Lesley

From: Louise Cutts [mailto:LouiseCutts@wessexplanning.com]
Sent: 15 December 2020 14:46
To: Wells, Lesley <Lesley.Wells@easthants.gov.uk>
Subject: RE: Appeal for East Leigh House
Importance: High

Hi Lesley

Here is the calculated amount of nitrate.

Kind regards

Louise Cutts BA (Hons) Dip TP MRTPI
Director



Meadowsweet Cottage, Morleys Lane, Ampfield SO51 9BJ

Tel: 07940 033645

Email: louisecutts@wessexplanning.com

Website: <http://www.wessexplanning.com/>

From: Wells, Lesley <Lesley.Wells@easthants.gov.uk>

Sent: 15 December 2020 13:59

To: Louise Cutts <LouiseCutts@wessexplanning.com>

Subject: RE: Appeal for East Leigh House

Hi Louise

Unfortunately until the NBC is completed and returned for checking I cannot obtain confirmation that mitigation at Warblington is available. Hence, my reasons for asking for this first.

Regards Lesley

From: Louise Cutts [<mailto:LouiseCutts@wessexplanning.com>]

Sent: 15 December 2020 13:52

To: Wells, Lesley <Lesley.Wells@easthants.gov.uk>

Subject: RE: Appeal for East Leigh House

Hi Lesley

No problem. In order to expediate matters, your 106 templates without the figures in would be useful, so we can get started on turning them into UUs for the appeal. We can then be carrying out our legal side of things whilst we also do the calculations, and wait for NE to respond, and for you to carry out your AA.

Kind regards

Louise Cutts BA (Hons) Dip TP MRTPI
Director



Meadowsweet Cottage, Morleys Lane, Ampfield SO51 9BJ

Tel: 07940 033645

Email: louisecutts@wessexplanning.com

Website: <http://www.wessexplanning.com/>

From: Wells, Lesley <Lesley.Wells@easthants.gov.uk>
Sent: 15 December 2020 06:21
To: Louise Cutts <LouiseCutts@wessexplanning.com>
Subject: RE: Appeal for East Leigh House

Hi Louise

Sorry for the delay, I was off most of last following a car accident. I will come back later this week.

Regards Lesley

From: Louise Cutts [<mailto:LouiseCutts@wessexplanning.com>]
Sent: 14 December 2020 15:13
To: Wells, Lesley <Lesley.Wells@easthants.gov.uk>
Subject: RE: Appeal for East Leigh House

Hi Lesley

Its been a week since I last contacted you. My clients need to start working on a Unilateral Undertaking for the appeal or submit a signed 106 agreement. Are you any further forward with your discussions?

Kind regards

Louise Cutts BA (Hons) Dip TP MRTPI
Director



Meadowsweet Cottage, Morleys Lane, Ampfield SO51 9BJ
Tel: 07940 033645
Email: louiseCutts@wessexplanning.com
Website: <http://www.wessexplanning.com/>

From: Wells, Lesley <Lesley.Wells@easthants.gov.uk>
Sent: 07 December 2020 14:19
To: Louise Cutts <LouiseCutts@wessexplanning.com>
Subject: RE: Appeal for East Leigh House

Hi Louise

Thank you for your email and I note the application will be appealed.

I am currently in discussion with my colleagues to secure draft legal agreements to be send to you regarding payments for the Solent Recreation Mitigation Strategy and Nutrient mitigation. Once I have received a reply I shall revert to you.

Regards Lesley

From: Louise Cutts [<mailto:Louisecutts@wessexplanning.com>]

Sent: 30 November 2020 13:01

To: Wells, Lesley <Lesley.Wells@easthants.gov.uk>

Subject: Appeal for East Leigh House

Hi Lesley

I hope that you are well.

I have been asked to appeal the decision to refuse the 5 retirement dwellings at East Leigh House.

Are you able to accept a payment, and provide a receipt, for the nitrate solution now (with repayment if the Appeal is dismissed), so that we can let the Inspector know that this aspect has been dealt with please, or do you have a template 106 for the payment that we could use for a UU instead?

We can then deal more efficiently with the main issue of the refusal relating to heritage significance.

Also, was the decision finely balanced, as I can't seem to find any weighing of the public benefits of 'critical' need for retirement housing against the minor loss of heritage significance through building on part of the setting of the Listed Building.

Kind regards

Louise Cutts BA (Hons) Dip TP MRTPI

Director



Meadowsweet Cottage, Morleys Lane, Ampfield SO51 9BJ

Tel: 07940 033645

Email: louisecutts@wessexplanning.com

Website: <http://www.wessexplanning.com/>

THIS **UNILATERAL UNDERTAKING** is made by **DEED** on the (to be inserted by Havant Borough Council 9th of June 2020)

AND GIVEN BY

IBEX Homes LTD incorporated and registered in England and Wales with company number 06315941 whose registered office is at DRIVERS WHARF, NORTHAM, SOUTHAMPTON, SO14 0PF **Owner**

PETER HARDING of DRIVERS WHARF NORTHAM SOUTHAMPTON SO140PF **Owner**

TO

The Council of The Borough of Havant of Public Service Plaza Civic Centre Road
Havant PO9 2AX

BACKGROUND

- (A) The Council is the local planning authority for the purposes of the Act for the area in which the Land is situated.
- (B) The Owner owns the Land and has made the Planning Application and is proposing to carry out the Development.
- (C) The Owner gives this undertaking to perform the obligations set out in this deed.

AGREED TERMS

1. INTERPRETATION

The following definitions and rules of interpretation apply in this deed.

1.1 Definitions:

Act: the Town and Country Planning Act 1990

Administration Fee: the sum of £23

Commencement of Development: the date on which any material operation (as defined in section 56(4) of the Act) forming part of the Development is begun save that (for the purposes of this Agreement and for no other purpose) operations consisting of site clearance, demolition work, archaeological investigations, investigations for the purpose of assessing ground conditions, site survey works, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements and "Commence Development" and similar expressions shall be construed accordingly

Contribution: the sum of £1,780.00 as a contribution towards measures to mitigate the impacts of the Development on the Solent Special Protection Areas in accordance with the Solent Recreation Mitigation Strategy dated 1 April 2018.

Development: the development of the Land described in the Planning Application.

Land: the freehold land at Eastleigh House, Bartons Road, Havant, PO9 5NA.

Monitoring Fee: the sum of £89.00 (calculated as 5% of the Contribution).

Planning Application: an application for planning permission registered by the Council on 18 May 2020 under reference number APP/20/00366.

Planning Permission: the planning permission to be granted by the Council in respect of the Planning Application.

- 1.2 A person includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.3 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.4 A reference to any party shall include that party's personal representatives, successors and permitted assigns.
- 1.5 Unless the context otherwise requires, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 1.6 Unless the context otherwise requires, a reference to a statute or statutory provision shall include any subordinate legislation made from time to time under that statute or statutory provision.
- 1.7 References to clauses are to the clauses of this deed.
- 1.8 Where an obligation falls to be performed by more than one person, the obligation can be enforced against every person so bound jointly and against each of them individually.

2. STATUTORY PROVISIONS

- 2.1 This deed constitutes a planning obligation for the purposes of section 106 of the Act, section 111 of the Local Government Act 1972 and any other enabling powers.

2.2 The obligations contained in clause 3 of this deed are planning obligations for the purposes of section 106 of the Act and are entered into by the Owner with the intention that they bind the interests held by those persons in the Land and their respective successors and assigns.

2.3 This deed shall have effect from the date hereof.

2.4 The obligations contained in clause 3 of this deed are enforceable by the Council in accordance with section 106 of the Act.

3. COVENANTS WITH THE COUNCIL

The Owner covenants with the Council to pay the Contribution, Administration Fee and Monitoring Fee to the Council on the date of this deed.

4. DETERMINATION OF DEED

This deed shall be determined and have no further effect if the Planning Permission:

- (a) expires before the Commencement of Development;
- (b) is varied or revoked other than at the request of the Owner; or
- (c) is quashed following a successful legal challenge.

5. FUTURE PERMISSIONS

5.1 Nothing in this deed shall prohibit or limit the right to develop any part of the Land in accordance with a planning permission (other than the Planning Permission) granted (whether or not on appeal) after the date of this deed.

5.2 This deed shall apply to any planning permission subsequently granted under Section 73 or 73A of the Act which permits non-compliance with any of the conditions attached to the Planning Permission (a "Subsequent Permission") and the Planning Permission shall be construed to include the development as stated in the Subsequent Permission unless otherwise required by the Council.

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

[FOR INDIVIDUALS]

Executed and delivered as a

deed by **[INSERT NAME]**

Signature:

in the presence of:

Witness signature

Witness name

Witness address

Witness occupation

[FOR COMPANIES OPTION 1]

Executed and delivered as a deed by **IBEX
HOMES**

acting by two directors

PETER HARDING

.....
Director

.....
Director

[FOR COMPANIES OPTION 2]

Executed and delivered as a deed by
[INSERT COMPANY NAME] acting by
[INSERT DIRECTORS NAME], by a director

.....
Director

in the presence of:

Witness signature

Witness name

Witness address

Witness occupation



Nitrogen Budget Calculation

Planning Application Reference No.	
Site Name:	Eastleigh House, Bartons Road
Additional Information:	
5 New Aged persons bungalows	
Date:	15 December 2020

Stage 1	Calculate total Nitrogen in kg per year derived from the development that would exit the Wastewater Treatment Works (WwTW) into Solent catchments after treatment	
Step 1	Calculate additional population	
	Enter the number of units proposed	5
	Net population increase per housing unit	2.40
	Total net population increase generated by the development	12.00
Step 2	Calculate wastewater volume generated by the development	
	Water use in litres per person per day	110
	Total wastewater volume generated by the development (litres per day)	1,320
Step 3	Confirm receiving WwTW and permit limit	
	Select the wastewater treatment works the development will connect to	Budds Farm
	Wastewater treatment works' permit limit (mg per litre)	9.7
	Wastewater treatment works' discharge level (mg per litre)	8.7
Step 4	Calculate total nitrogen in kg per year discharged by the WwTW	
	Deduct acceptable Nitrogen loading in wastewater (mg per litre)	6.7
	Total Nitrogen discharged by WwTW (mg per day)	8,883.6
	Total Nitrogen discharged by WwTW (kg per day)	0.0089
	Total Nitrogen discharged by WwTW (kg per year)	3.2

Stage 2	Calculate existing (pre-development) nitrogen from current land use of the development site	
Step 1	Total area of development site	
	Enter the total area of the development site (hectares)	0.15
Step 2	Identify current land uses of the development site	
	Enter area currently used for urban development (hectares)	0.15
	Enter area currently used for open space / greenfield (hectares)	0.00
	Enter area currently used for woodland (hectares)	0.00
	Enter area currently used for community food growing / catchment average (hectares)	0.00
	Enter area currently used for cereals (hectares)	0.00
	Enter area currently used for dairy (hectares)	0.00
	Enter area currently used for general cropping (hectares)	0.00
	Enter area currently used for horticulture (hectares)	0.00
	Enter area currently used for pig farming (hectares)	0.00
	Enter area currently used for lowland grazing (hectares)	0.00
	Enter area currently used for mixed farming (hectares)	0.00
	Enter area currently used for poultry farming (hectares)	0.00
	Check to help ensure that sum total of land uses in Step 2 equals site area in Step 1	0.2
Step 3	Calculate nitrogen load from current land usage	
	Total Nitrogen load from current land usage (kg per year)	2.1

Nitrogen Budget Calculation

Stage 3	Calculate nitrogen load for the non-built land uses proposed for the development site	
Step 1	Identify proposed land uses of the development site	
	Enter the total urban area to be created (hectares)	0.15
	Enter the total designated open space / SANG area to be created (hectares)	0.00
	Enter the total nature reserve area to be created (hectares)	0.00
	Enter the total woodland area to be created (hectares)	0.00
	Enter the total community orchard area to be created (hectares)	0.00
	Enter the total community food growing / allotment area to be created (hectares)	0.00
	<i>Check to help ensure that sum total of proposed land uses equals site area in Stage 2</i>	0.15
Step 2	Calculate total Nitrogen load from proposed land uses	
	<i>Total Nitrogen load from future land uses (kg per year)</i>	2.15

Stage 4	Calculate the net change in Nitrogen load from the proposed development	
Step 1	Identify Nitrogen load from wastewater (Stage 1)	
	<i>Nitrogen leaving wastewater treatment works (kg per year)</i>	3.24
Step 2	Calculate net change in Nitrogen load from land use changes	
	<i>Total Nitrogen load from future land use (kg per year)</i>	0.00
Step 3	Calculate total Nitrogen budget for the development site	
	<i>Nitrogen budget for the site (kg per year)</i>	3.24
Step 4	Calculate precautionary buffer if Nitrogen budget exceeds zero	
	<i>Precautionary Nitrogen buffer (kg per year)</i>	0.65

Total Nitrogen budget for the proposed development (kg per year)	3.9
Development will generate additional Nitrogen - Mitigation is required Please liaise with your Local Planning Authority for advice on next steps	

From: Petrovic, Milena [<mailto:Milena.Petrovic@naturalengland.org.uk>]

Sent: 30 June 2020 17:07

To: Wells, Lesley <Lesley.Wells@easthants.gov.uk>

Subject: NE Response. APP/20/00366 HRA and AA.

Dear Lesley,

Consultation: APP/20/00366 HRA & Appropriate Assessment - Provision of 5x1 bedroom retirement bungalows. Eastleigh House, Bartons Road, Havant, PO9 5NA

Thank you for consulting Natural England on the above HRA and AA.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that we concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission.

Solent Recreation Mitigation Strategy – no objection subject to mitigation

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. Havant Borough Council has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.

Please note there appears to be a small error in the SRMS contribution calculation. 5 x £356 should be £1780 not £1760.

Nutrient Neutrality – no objection subject to mitigation

Natural England is aware that your authority has adopted an interim strategy using Grampian conditions to address nutrient impacts from developments currently in the planning system and we have been working with the Council to develop this approach. It is noted that the mitigation would be secured through a Grampian condition, requiring the mitigation package to be agreed, provided to the Council and implemented prior to the occupation of the development.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. With regard to deterioration of the water environment, it is noted that the approach to address the positive nitrogen budget for this development is to offset against the interim strategy, with measures to ensure this approach can be adequately secured and accounted for.

It is Natural England's view that in this case, provided the Council as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Please consult Natural England on the discharge of the Grampian condition.

If you have any queries relating to this advice, please contact me on the number below.

Kind regards,

Milena

Milena Petrovic

Sustainable Development Lead Adviser

Thames Solent Team, Natural England

Tel: 02080 267824

Mobile: 07827552608

<https://www.gov.uk/natural-england>

European Site avoidance and mitigation checklist

This checklist must be completed and provided in order for the Local Planning Authority to validate any planning application for one or more dwellings. It sets out how an avoidance and mitigation package will be provided to remove any likely significant effect on a European Site.

All relevant boxes should be completed and the form must be signed. If signed by an agent, it is their responsibility to ensure that the applicant is aware of the commitment to providing a mitigation package, in the form of a financial contribution, the scale of which is currently not known.

Application details	
Site name:	Eastleigh House (Land Adjacent to main building)
Site address:	Eastleigh House, Bartons Road, Havant PO5 5NA

Recreational disturbance																	
The proposed development would be within 5.6 km of Chichester and Langstone Harbour, which is a Special Protection Area and Ramsar site. As such, mitigation will need to be provided. The Council considers that mitigation provided in line with the Solent Recreation Mitigation Strategy (available at www.birdaware.org/strategy) is appropriate to the applicable planning applications. This would result in a mitigation package based on the table below. It will be necessary for a suitable avoidance and mitigation package to be provided in order for the Council to lawfully grant permission for applicable schemes. <table border="1"> <thead> <tr> <th>Size of units</th> <th>Scale of mitigation per unit</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>£346.00</td> </tr> <tr> <td>2 bedroom</td> <td>£500.00</td> </tr> <tr> <td>3 bedroom</td> <td>£653.00</td> </tr> <tr> <td>4 bedroom</td> <td>£768.00</td> </tr> <tr> <td>5 bedroom</td> <td>£902.00</td> </tr> <tr> <td colspan="2">Please note that a monitoring fee is attached, at 5% of mitigation cost.</td> </tr> <tr> <td colspan="2">Please note that an administration fee of £20 per application is applied.</td> </tr> </tbody> </table>		Size of units	Scale of mitigation per unit	1 bedroom	£346.00	2 bedroom	£500.00	3 bedroom	£653.00	4 bedroom	£768.00	5 bedroom	£902.00	Please note that a monitoring fee is attached, at 5% of mitigation cost.		Please note that an administration fee of £20 per application is applied.	
Size of units	Scale of mitigation per unit																
1 bedroom	£346.00																
2 bedroom	£500.00																
3 bedroom	£653.00																
4 bedroom	£768.00																
5 bedroom	£902.00																
Please note that a monitoring fee is attached, at 5% of mitigation cost.																	
Please note that an administration fee of £20 per application is applied.																	
Please select one of the following options:																	
I hereby confirm that the proposed development will include an avoidance and mitigation package in line with the Solent Recreation Mitigation Strategy.	X																
An alternative approach to avoiding and mitigating the recreational impact arising out of the development is proposed (please set out in more detail in a supporting document appended to this checklist).																	
The site is located more than 5.6km from the Solent Special Protection Areas (this applies to only a small section of the Borough in Cowplain).																	

Water quality

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. As such, there is considered to be a likely significant effect from residential (and similar) developments located anywhere in Havant Borough. As a result, an avoidance and mitigation package will be needed in order for the Council to lawfully grant any planning permission. The Council has published a Nutrient Neutrality Position Statement which sets out that it is possible to mitigate development in the short term.

The position statement highlights those developments which are expected to provide avoidance and mitigation on-site, thus resulting in a nutrient neutral development. It also sets out that, for any other applicable developments, the exact scale of avoidance and mitigation package (which would take the form of a financial contribution) is not yet known.

As a result, in order for the development to comply with the requirements of the Conservation of Habitats and Species Regulations and for the Council to lawfully be able to grant planning permission, it will be necessary to impose a grampian condition requiring the provision of an avoidance and mitigation package prior to the occupation of the development.

It would be the applicants risk as to whether to proceed with any development that is granted planning permission without the knowledge of the precise scale of the avoidance and mitigation package.

Please select **one** of the following options:

I hereby confirm that the proposed development will include an avoidance and mitigation package, in line with the Nutrient Neutrality Position Statement and confirm that I am content that a grampian condition is used to secure this prior to occupation.	X
The proposed development would be 'nitrogen neutral'. A nitrogen budget is attached to this checklist (this option is particularly applicable to developments proposed on agricultural land)	
The proposed development is not nitrogen neutral and no avoidance or mitigation package is proposed (please note that planning permission could not lawfully be granted in these circumstances).	

Please select one of the following options to the right, then complete all boxes below		Signed by applicant		Signed by agent	X
By submitting this form to Havant Borough Council, the applicant is committing to providing mitigation packages, usually in the form of a financial contribution. If the top option for 'water quality' has been selected, the applicant specifically understands that the scale of the contribution is unknown at this time.					
If an agent is signing on behalf of an applicant, it is the agent's responsibility to seek the agreement of the applicant to the commitments selected above as it will be the applicants who assumes the risk and responsibility upon the granting of any planning permission.					
Signed:	Derek Lindsay				
Print name:	Derek Lindsay				
Date:	18/05/2020				

APPENDIX 2

Specialist Housing Analysis

July 2020



Specialist Housing Analysis

Purpose of this paper	To provide an assessment of the Borough's varied housing needs in terms of housing mix (number of bedrooms) and specialist housing provision including older persons housing, self and custom build housing and affordable home ownership products. The report also explores whether it is appropriate to apply optional technical standards relating to access, water and space standards in Havant borough.
Why?	To assess the different housing needs needed to support the Havant Borough Local Plan (HBLP) which need to plan for different types of housing to deliver the housing needed in the Borough up until 2037.
Objectives	▪ Contextual analysis of the national and sub-regional policy and guidance relating to different housing needs. ▪ An assessment of the local context for each type of housing provision, supported by quantitative and qualitative analysis. ▪ Recommendations for the proposed approach to the delivery of different housing types to inform the HBLP.

Any queries about the report should be sent to:

Email policy.design@havant.gov.uk

Telephone 023 9244 6539

Address: Havant Borough Council
Public Service Plaza
Civic Centre Way
Havant
PO9 2AX

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1. Introduction

- 1.1 As part of the production of the Havant Borough Local Plan (HBLP), it is essential that there is an up to date evidence base for the different size, type, tenure and range of housing that is required to meet objectively assessed housing needs. This paper will look at the relevant national, sub regional, local guidance and evidence for specialist housing needs to inform the Local Plan including the identification of different needs for mix and type of housing, as well as optional technical standards.
- 1.2 This paper has been updated to reflect the revised National Planning Policy Framework (NPPF) which was published in July 2018, and then updated in July 2019. It reflects the updated Planning Practice Guidance on 'Housing for older and disabled people'. In addition, an updated assessment of the need for self-build and custom build housing (Section 4), and an expanded justification on the need for internal space standards (Section 6) are provided.
- 1.3 Whilst this report draws from a variety of sources including the Partnership for South Hampshire (PfSH) Strategic Housing Market Assessment which looks to 2036, it should be noted the plan period for the HBLP has subsequently been extended by a year to 2037 to provide for a 15-year time horizon from adoption in line with the requirements of the NPPF.

Scope of Study

- 1.4 This paper considers the type of housing that should be provided to address the Borough's objectively assessed housing need. The topics considered by this paper are outlined below.
- Housing mix and type – an assessment of household size based on number of bedrooms for both the market and affordable sectors, and the tenure mix.
 - Older persons housing – including conventional housing, age exclusive housing, retirement housing and housing for those with care and support needs.
 - Self-build and custom build – Assessment of the need for self-build and custom build housing.
 - Affordable home ownership products – Analysis of the need for affordable home ownership products, including discounted market sales and starter homes.
 - Optional technical standards – Assessment to include access, water and space standards.
- 1.5 The Council's approach to setting differing density models is set out in the [Council's Residential Density Evidence Paper](#).

2. Housing mix

National policy context

- 2.1 Paragraph 61 of the NPPF states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. Paragraph 62 of the NPPF also states that the approach to affordable housing should contribute to the objective of creating mixed and balanced communities.
- 2.2 The Planning Practice Guidance (PPG) indicates that plan makers should look at the household types, tenure and size in the current stock and in recent supply and assess whether these match current and future needs¹.

Sub-regional policy context

- 2.3 The 2014 Strategic Housing Market Assessment (SHMA)² includes information on the estimated market sector dwelling requirement by number of bedrooms (2011-2036) for Havant (Figure 1). This information provides guidance on the projected need for dwelling sizes in the HBLP period within the market sector.

Figure 1: Estimated Dwelling Requirement by Number of Bedrooms (2011 to 2036) – Market Sector

Sub Area	1 Bedroom	2 Bedrooms	3 Bedrooms	4+Bedrooms
Havant	8.9%	34.2%	45.2%	11.6%

Source: PfSH Strategic Housing Market Assessment 2014, Table 51, p.146

- 2.4 Paragraph 9.30 of the SHMA highlights the focus of new market housing provision should be on two and three bed properties. This reflects the continued demand for family housing from newly forming households, as well as older households looking to downsize. This suggests a mix of market housing of between 30-35% 2-bed properties, and 40-45% 3-bed properties across the PfSH area.
- 2.5 Information is also available on the estimated affordable sector dwelling requirements by number of bedrooms (2011-2036) for Havant (see Figure 2 below).

¹ Paragraph: 023 Reference ID: 2a-023-20190200

² [South Hampshire Strategic Housing Market Assessment \(GL Hearn, 2014\)](#)

Figure 2: Estimated Dwelling Requirement by Number of Bedrooms (2011 to 2036) – Affordable Sector

Sub Area	1 Bedroom	2 Bedrooms	3 Bedrooms	4+Bedrooms
Havant	41.6%	36.0%	19.6%	2.8%

Source: PfSH Strategic Housing Market Assessment 2014

- 2.6 The PPG suggests that the private rental sector need should be assessed using market signals. PfSH provides information on the relative cost of median market rent dwellings as an indicator of need for these properties. PfSH data shows that rental prices in Havant are currently rising at a greater rate than inflation.

Local context, evidence and recommendations

Market Provision

- 2.7 The below table provides a comparison between existing built stock in the Borough, and the objectively assessed need for different dwelling sizes by number of bedrooms:

Figure 3: Housing mix by number of bedrooms (2011) compared with OAN assessed by PfSH (%)

Sub Area	1 Bedroom (PfSH: 8.9%)	2 Bedrooms (PfSH: 34.2%)	3 Bedrooms (PfSH: 45.2%)	4+Bedrooms (PfSH:11.6%)
Emsworth	9%	20%	45%	25%
Havant & Bedhampton	8%	25%	44%	23%
Hayling Island	11%	31%	33%	25%
Leigh Park	12%	31%	49%	7%
Waterlooville	12%	23%	46%	19%

Source: Nomis

- 2.8 Figure 3 shows there is an under provision of 2-bedroom dwellings across the Borough relative to the objectively assessed need identified by the SHMA. The imbalance in this dwelling size is particularly acute in Waterlooville, Havant & Bedhampton and Emsworth against the need for 34.2% 2-bed properties. The table also highlights a relatively significant deficit in 4-bedroom dwellings in Leigh Park, although there is surplus in all other parts of the Borough.

- 2.9 On this basis, it is recommended that development proposals provide homes of a type and size based on locally identified needs, with a significant proportion of new homes being 2-bedroom properties.
- 2.10 The SHMA recognises that the provision of build to rent products and private rented dwellings can help to ensure private rented sector remains affordable and continue to play a role in meeting the needs of households who require financial support in meeting their housing needs³. It is recommended that build to rent products are supported to both satisfy the general private rental market and to assist in the provision of intermediate homes for those requiring financial support to meet their housing needs.

Affordable Provision

- 2.11 According to waiting list data⁴, the combined total need for affordable homes is 2,735 dwellings within the Borough. There is a significant need for affordable dwellings, and the supply of affordable homes should be maximised accordingly.
- 2.12 The available data suggests there is a greater need for affordable rented homes than intermediate affordable homes, with 1,684 on the waiting list (62% of total need) for affordable rent homes when compared to 1,031 on the waiting list (38% of total need) for intermediate affordable homes. This compares with the SHMA which suggests a need for 74% social/affordable rent and 26% intermediate rent.
- 2.13 Nevertheless, the 2018 NPPF⁵ has introduced a requirement for 10% of affordable housing to be provided as affordable home ownership products which implies a tenure split of 66:33, thereby limiting the Council's ability to deliver affordable housing products which meet a genuine affordable need. Further analysis can be found at section 5.
- 2.14 Figure 4 compares data on need from the 2014 SHMA with the local waiting list data by number of bedrooms.

Figure 4: Housing mix by number of bedrooms by tenure type based on waiting list data and compared to PfSH data

Affordable Tenure (SHMA 2014, Table 52, p. 146)	1 Bedroom (PfSH: 41.6%)	2 Bedrooms (PfSH: 36%)	3 Bedrooms (PfSH: 19.6%)	4+Bedrooms (PfSH:2.8%)
Affordable Rented Homes	49%	35%	12%	4%
Intermediate Affordable Homes	23%	53%	23%	1%
% of total affordable need	39%	41%	16%	3%

Source: Hampshire Home Choice and Help to Buy South

³ [South Hampshire Strategic Housing Market Assessment \(GL Hearn, 2014\)](#) para 11.18

⁴ Hampshire Home Choice for Affordable Rented Homes (September 2017) and Help to Buy South for intermediate affordable homes (April 2017).

⁵ Paragraph 64 of the NPPF

- 2.15 Figure 4 shows that there is a marked need for smaller properties, particularly one and two bed properties. However, one-bedroom homes typically offer limited flexibility to accommodate changing requirements. For example, a single person household may become that of a couple, and a couple household may become a household with children.
- 2.16 As well as meeting the needs of a single household or a couple household, the Hampshire Home Choice Allocations Framework (May 2019) confirms the needs of the following household types will be met by a two-bedroom property:
- Household with one child
 - Household with two children of same sex*
 - Household with two children of opposite sex; where both children are both under 10 years of age

* Two siblings of the same sex under 16 years of age will be expected to share one bedroom of appropriate size.

Summary

- 2.17 There is an acute need for two-bedroom properties in both the market sector, and particularly the affordable sector where there is generally a deficit of two-bedroom properties relative to locally assessed needs.
- 2.18 Within the market sector there is a mismatch between future need (34.2%) for two-bedroom properties and existing built stock in the five areas of the Borough. This compares with the affordable sector, where local waiting list data suggests the need for two-bedroom properties (41%) exceeds the need figure estimated by the SHMA (36%). This imbalance could be re-dressed by specifying a housing mix through policy, taking the average need (35%) across market and affordable sectors for two-bedroom properties, recognising that needs may change over time.

3. Housing for older and disabled people

National policy context

- 3.1 The revised NPPF identifies older people, and people with disabilities, as specific groups in the community whose housing needs should be assessed and reflected in planning policies. The Government has subsequently published updated National Planning Practice Guidance on 'Housing for older and disabled people' in recognition of the increasing ageing population, and the need to ensure disabled people do not face discrimination and disadvantage in housing.
- 3.2 Annex 2 of the NPPF defines older people as follows:
- "People over or approaching retirement age, including the active, newly retired through to the very frail elderly, and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialist housing for those with support or care needs."*
- 3.3 Planning Practice Guidance sets out that disabilities can include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs, which may generate a range of housing requirements which can change over time. Local planning authorities need to consider a variety of needs in plan-making accordingly (Paragraph: 003 Reference ID: 63-003-20190626).
- 3.4 Space standards are specifically identified as a design principle which can facilitate flexibility in housing. Further detail can be found in Section 6.

Sub-regional policy context

Older people

- 3.5 The 2014 SHMA indicates the growing older population will be a driver of housing need over the period to 2036. The SHMA indicates the number of people aged 65 and above in the PfSH area will rise 21% by 2021 from 2011 figures along with further increases post 2021.
- 3.6 The Housing Learning and Improvement Network (LIN) supplies data which indicates need for extra care dwellings. Hampshire County Council has provided this data on both a sub-regional and local level. This data can be accessed using the LIN Shop@ tool⁶. This is included in Figure 6 below.

⁶ [Strategic Housing for Older People Analysis Tool – SHOP@](#)

People with disabilities

- 3.7 The SHMA indicates that currently 25% of households contain someone with a long-term health problem of disability.
- 3.8 In the Portsmouth Housing Market Area, demographic projections suggest an 86.4% increase in the number of people with dementia from 2011 to 2031, and 74.3% increase in the number of people with mobility impairments⁷.

Local context, evidence and recommendations

Older people

- 3.9 Havant Borough Councils 2016 Ageing Population Factsheet⁸ provides further information on the existing number of older persons in the Borough, as well as an indication of the demographic trend towards an ageing population (figure 5).

Figure 5: Havant residents aged 60 and over, 2016 and projected figures

	2011 Figures	2015 Projection	2021 Projection	60+ population increase from 2011 – 2021
Person Count	33621	35028	38462	4841
% of total persons	28%	29%	30%	14.4%

Source: Hampshire County Council Small Area Population Forecasts 2014

- 3.10 There is a clear need to plan for suitable housing for the ageing population in Havant with about a third of the population of the Borough likely to be an older person by 2036 when based on the 2021 projection. Policies in the HBLP will therefore need to maximise the provision of homes which are readily adaptable and accessible for older persons, within the constraints of viability. This will enable extra care provision to be readily provided in their own homes without having to make adaptations.
- 3.11 It is impossible to quantify the housing needs for the ageing population will have over the plan period. Although people are living for longer, they are not necessarily living longer because of a healthier lifestyle⁹. There is not a 'one size fits all' form of housing provision.
- 3.12 Whilst many older people will choose to remain living in market housing, some may also require some form of extra care within their own home. Others will require purpose-built specialist extra care provision.
- 3.13 Using LIN data derived from the Strategic Housing for Older People Analysis Tool (Shop@), an analysis can be made of the current and projected need for extra care housing for the Borough as follows:

⁷ [South Hampshire Strategic Housing Market Assessment \(GL Hearn, 2014\)](#) Table 57, p. 154

⁸ Ageing Population Factsheet | April 2016 – Page 7

⁹ [Housing LIN Estimated Future Needs](#)

Figure 6: Estimated Future Needs for Extra Care Housing (2014 baseline)

	2014	2015	2020	2025	2030	2035
Sheltered Housing	1675	1713	1925	2288	2538	2813
Enhanced Sheltered/Extra Care	536	548	616	732	812	900
Registered Care	1474	1507	1694	2013	2233	2475

Source: Hampshire County Council

- 3.14 Figure 6 shows a substantial requirement to provide sheltered and extra care housing within the Borough. This could be addressed through any housing allocation in the HBLP.

People with disabilities

- 3.15 The 2014 SHMA confirms that the number of people with disabilities is expected to increase over the period 2011 to 2031. The Department for Work and Pensions provides detailed benefit statistics including Personal Independence Payment (replacing Disability Living Allowance) and Attendance Allowance benefit claimants. This can be accessed using the Stat-Explore tool.
- 3.16 During April 2019, there was an estimated 3,706 Personal Independent Payment claims in Havant Borough. The information available for Attendance Allowance suggests there were 3,314 cases with entitlement. Based on ONS Mid-Year Population estimates for 2017, Havant Borough had a population of 125,065 suggesting that claims for each benefit type equate to about 3% of the total population respectively.

Figure 6: Havant Disabled Facilities Grant Referrals

	Number of Referrals	Percentage
2017/18	264	0.2%
2018/19	230	0.2%
2019/20 - Q1	66	0.05%

Source: Havant Borough Council

- 3.17 Given the numbers of Personal Independence Payment / Attendance Allowance claimants relative to the number of applicants for DFG, it is considered likely that the latter provides an underestimate of expressed need. It should be acknowledged that not all of these people will require adaptations in the home.

- 3.18 Accessible and adaptable homes¹⁰ can however, help ensure that new homes are suitable for a range of different groups in the community, including disable people. Wheelchair user dwellings¹¹ include additional features to accessible dwellings. This includes suitable circulation space and bathrooms and kitchens to meet the specific needs of their occupants.

Summary

- 3.19 Around 30% of the Borough's population is expected to be aged 60 years or above by 2036 which means there is a clear need to provide dwellings which are sufficiently flexible for changing lifestyles and needs. It is recognised that it is better to build accessible housing from the outset rather than having to make adaptations at a later stage. This will enable older people to continue living in their own homes for longer and for extra care to be provided in situ.
- 3.20 Adaptable and accessible dwellings can also help to meet the needs of disabled people in the community where their need is not met by the existing built housing stock. Wheelchair user dwellings include additional features such as suitable circulation space and suitable bathroom and kitchens for wheelchair users.
- 3.21 For major development, it is therefore recommended that provision for adaptable and accessible dwellings are maximised within the constraints of viability. The [Local Plan and CIL Viability Study](#) indicates that for major schemes¹², 30% of new dwellings designed to meet the optional technical standard M4(2) are broadly achievable. Homes designed to meet the optional M4(2) standard should be equally distributed amongst all dwelling types and tenures to ensure they are integrated within the community.
- 3.22 To address the need for wheelchair accessible dwellings, it is recommended that 2% of the overall housing provision on larger development sites (of 50 dwellings or more) meet the optional M4(3) standard in accordance with locally identified need. This reflects the fact that only a proportion of disabled people will require a wheelchair accessible dwelling, and that the local authority is only able to require a wheelchair accessible home to be provided where it is able to allocate or nominate a person to live in that dwelling.

¹⁰ [M4\(2\) of the Building Regulations \(2015\).](#)

¹¹ [M4\(3\) of the Building Regulations \(2015\).](#)

¹² 10 dwellings or more

4. Self and custom build housing

National policy context

- 4.1 The Self-Build and Custom Housebuilding Act 2015¹³ (the Act) provides a legal definition of self build and custom housebuilding. The Act does not distinguish between self build and custom housebuilding but instead states that both are where:
- “An individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by these individuals.”*
- 4.2 The Community Infrastructure Levy (CIL) regulations also define self-build housing in such a way that any development granted CIL relief on this basis would also satisfy the NPPF definition of a self or custom build plots for monitoring purposes.
- 4.3 The Act requires relevant authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area and, unless exempt, to grant sufficient planning permission for developments that meet the demand for self and custom housebuilding.
- 4.4 The PPG suggests that local planning authorities should use the demand data from the register to understand and consider future need for this type of housing in their area.

Sub-regional policy context

- 4.5 Although PfSH acknowledges that self-builders tend to develop smaller infill and windfall sites¹⁴, they do not explore the need for self-build and custom build plots. However, in line with national legislation, it is anticipated that all PfSH authorities will be maintaining registers to meet the needs of self-builders and custom builders.

Local context, evidence and recommendations

- 4.6 Havant Borough Council had 28 individuals on the self and custom house build register in August 2017. At July 2019, there were 54 individuals included with the register, with two entries having been removed on request in 2018.
- 4.7 The Council does not currently charge an entry fee to individuals and associations of individuals who applied to be added onto the self build register. As such, the Council will hold entries on the self build register until such time the individual requests to be removed from the register. This means that entries may remain on the register even if their demand has been met or circumstances have changed and they no longer desire a self-build home.

¹³ As amended by the Housing and Planning Act 2016

¹⁴ [South Hampshire Strategic Housing Market Assessment \(GL Hearn, 2014\)](#) para. 6.51

- 4.8 In August 2017, a questionnaire was sent to all entries on the register to further understand the need for this kind of development and to assess whether policy is required to meet the need. The questionnaire can be found in Appendix 1 with a summary of the findings detailed in Figure 6 below.

Figure 6: Havant Self and Custom build need

	Total need	Immediate need
Self and custom build Register	28	4

Source: Havant Borough Council

- 4.9 Of the 28 registered, 14 individuals confirmed they still retain an interest in self and custom build plots within the borough in response to the questionnaire. The remaining 14 individuals gave no response. There were no responses which indicated their need was already met or they wished to be removed from the register. Therefore 28 self or custom build plots should be considered as having registered need. Of those, only 4 responders had finance in place and could be considered in immediate need.
- 4.10 Whilst paragraph 4.6 suggests there has been a relatively significant increase in the demand for self-build in the period from August 2017 to July 2019, it is not necessarily an indication of need. Particularly as the Council does not currently charge individuals for entry onto the register, and removal from the register is at the request of the individual.
- 4.11 Nevertheless, it is relevant to examine whether need for self-build plots is being met based on the number of entries on the self-build register against the amount of CIL relief claims for self-build in recent monitoring years (and this is contained in Figure 7 below).

Figure 7: Havant Self build relief data

Year of application for developments that registered for CIL exemption as self-build	Number of self build reliefs granted by application year	% delivered when assessed against total need on register
2014	12	43%
2015	13	46%
2016	15	54%
2017	19	68%
2018	13	46%
2019 (as of July)	8	29%*

Source: Havant Borough Council

*Represents only part of 2019, but it is expected that a similar level of self build relief will be claimed to previous years.

- 4.12 Based on planning permissions, Figure 7 indicates the Borough has provided roughly 40-50% of the total registered need in recent monitoring years peaking during 2017 in which there was almost 70% of need was met based on the number of claims.

Summary

- 4.13 Based on the available evidence, there is a consistent supply of available plots to meet the needs of self and custom housebuilders. On this basis it is considered that a policy in the HBLP to meet the needs of self and custom builders is unlikely to be required. The Council will however, continue to support self and custom build to help to meet the Borough's development needs, and continue to maintain and monitor the register throughout the plan period.

5. Affordable home ownership products

National policy context

5.1 The 2019 NPPF defines affordable housing as:

“... housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is essential local workers); and one which complies with one or more of the following definitions:”

5.2 Broadly the tenures include the following:

- **Affordable housing for rent** – owned and managed by Registered Providers of affordable homes
- **Starter homes** – developer led scheme
- **Discounted market sale homes** – developer led scheme
- **Other affordable routes to home ownership** which include (but are not restricted to) shared ownership – part buy/part rent scheme owned and managed by a Registered Providers of affordable homes.

5.3 The PPG also sets out guidance with regard to the exception site policy proposed by the 2015 written ministerial statement to deliver starter homes¹⁵.

5.4 In addition to the above, paragraph 64 of the NPPF states that:

“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.” (emphasis added)

5.5 Paragraph 62 of the NPPF indicates that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required.

¹⁵ [Communities and Local Government written ministerial statement on starter homes 2 March 2015](#)

Local context, evidence and recommendations

- 5.6 Analysis in section 2 indicates the prevalent need within the Borough is for affordable rented housing. However, the Government's requirement for 10% of affordable housing to be provided as affordable home ownership products limits the Council's ability to deliver affordable housing products which meet affordable housing needs. It is therefore of relevance to examine the type of affordable home ownership product which will best meet the needs of those seeking intermediate products in the Havant area.
- 5.7 The allocation of new shared ownership homes is managed by Help to Buy South, the local Help to Buy agent. As of April 2018 (the latest available data), there were 1,031 applicants from the Havant area registered with the scheme seeking this kind of intermediate product.
- 5.8 Of the 1,031 applicants:
- 46% had a household income of between £20,001 and £35,000; the average income being £30,665.
 - 33% had savings up to £3000, with a further 13% between £3000 and £5000, 21% between £5000 and £10000 and only 10% between £10000 and £15000.
 - 57% of applicants require a house, and 54% of applicants require a 2-bedroom property.
- 5.9 Asking prices for brand new 2-bedroom homes as advertised by Right Move on 23rd October 2018 ranged between £300,000 for a terraced house in Emsworth, and £230,000 for a coach house in Waterloooville creating an average of around £275,000. These compare with a couple's average household income of around £31,000 (when rounded)¹⁶, which would provide for mortgage borrowing of approximately £124,000.
- 5.10 The following examples illustrate that those applicants registered with Help to Buy South would not be able to secure a home at market levels or a Starter or Discounted Market Sale home with a discounted price of 80% of market.
- 5.11 Current mortgage multiples are around 4 times joint income as a possible loan.

Example 1 - Full Market Value property

Average price of a new build 2 bed home at full market value	£275,000
Mortgage	£124,000
5% deposit required on £275,000	£ 13,750
Total funding	£137,750
Affordability gap	£137,250

¹⁶ Help to Buy South Application & Completion Statistics. Havant – April 2018 indicates an average household income of £30,665.

- 5.12 Of the 559 applicants registered with the Help to Buy agent for 2 bed properties, 68% would not be able to raise the £13,750 (5%) deposit needed with savings of £10,000 or less.

Example 2 - Starter or Discounted Market Sale property

Average price of a new build 2 bed home at 80% market value	£220,000
Mortgage	£124,000
5% deposit required on £220,000	£ 11,000
Total funding	£135,000
Affordability gap	£ 85,000

- 5.13 Of the 559 applicants registered with the Help to Buy agent for 2 bed properties, 68% would not be able to raise the £11,000 (5%) deposit needed with savings of £10,000 or less.
- 5.14 These illustrative examples show that these are not 'affordable' to those registered for affordable home ownership housing products. The second example in particular shows that starter homes or discounted market sale would not meet the needs of over two thirds of applicants registered with Help to Buy South. For this reason, starter homes will not meet the needs of those in local housing need and will only be appropriate in exceptional circumstances accordingly.
- 5.15 Data from Havant's Help to Buy South shows that of the 52 shared ownership (part buy/part rent) completions during 2017/18 year, the average purchase was 49% of the market value and equates to an average share to be funded by a mortgage loan of £93,975 and a 5% deposit of £4,698.75. These requirements fall within the affordability parameters of the average applicant for Help to Buy South.

Summary

- 5.16 It is recommended that shared ownership homes are sought as the preferred form of affordable home ownership in Havant borough. This is based on locally assessed housing need, together with average income and savings levels recorded for affordable home ownership housing applicants.
- 5.17 Based on a 30% affordable housing headline target, the remaining 20% of the affordable housing products will be expected to be provided as social/affordable rent and will be available to those registered with Hampshire Home Choice (the Council's waiting list for rented social housing).

6. Optional technical standards

National Policy Context

- 6.1 The Government has created a new approach to housing standards by providing optional standardised technical standards for new housing. This rationalises many different standards previously available into a simpler, streamlined system which will reduce burdens and help bring forward new homes¹⁷.
- 6.2 Local planning authorities can set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access, water, and space. Local planning authorities should gather evidence to determine whether there is a need for additional standards in their area, to justify setting appropriate policies in their Local Plans.

Access

- 6.3 The NPPF is clear that local planning authorities should plan to create safe and accessible environments. This includes buildings and their surrounding spaces. The optional standards available to local planning authorities for access to and use of buildings are:
- M4(1) – Category 1: Visitable dwellings
 - M4(2) – Category 2: Accessible and adaptable dwellings
 - M4(3) – Category 3: Wheelchair user dwellings.
- 6.4 Further information on the requirement for each category of the optional technical standards for access can be found at Appendix 2.

Local Context and Recommendations

- 6.5 As set out in Section 4, to help address the need for homes which are suitable for older persons, 30% of new housing provision on major development sites¹⁸ should meet the optional M4(2) standard. It is also recognised there is a need for adaptable dwellings for other members of the community including wheelchair users and the less abled whom also require dwellings which are accessible and adaptable which is not met by existing built stock.
- 6.6 It is accepted that existing housing stock may meet some need for adaptable dwellings which would offset any need that may arise above the 30% level recommended for standard M4(2).
- 3.23 As set out in Section 4, it is recommended that 2% of the overall housing provision on larger development sites (of 50 dwellings or more) meet the optional M4(3) standard in accordance with locally identified need for wheelchair accessible dwellings.

¹⁷ National Planning Practice Guidance. Paragraph: 001 Reference ID: 56-001-20150327

¹⁸ 10 dwellings or more

Water

- 6.7 The NPPF expects local planning authorities to adopt proactive strategies to adapt to climate change that take full account of water supply and demand considerations. The local planning authority may also wish to impose a tighter water efficiency requirement for new homes to help manage demand¹⁹.
- 6.8 All new homes already have a requirement to meet the national standard of 125 litres/person/day (l/p/d) set out in the Part G of the Building Regulations. Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 l/p/d.

Local context and Recommendations

- 6.9 Portsmouth Water is the utility company responsible for the water supply and distribution of water in Havant Borough. The Water Resource Management Plan (WRMP) sets out how water demand and supply will be provided.
- 6.10 In light of the need for development to achieve nutrient neutrality, the Council has published a Position Statement²⁰ which highlights that the optional water efficiency standard of 110 litres per person per day (l/pp/d) part of the avoidance and mitigation package needed to enable development to take place. Enacting the optional water efficiency standard reduces the level of the significant effect which is likely to take place on European sites. It is necessary to avoid the impact before looking at mitigation options. As such, using the optional water efficiency standard is seen as necessary.

Space

- 6.11 The NPPF states where a local planning authority wishes to require an internal space standard in their local plan, it should only do so by reference to the Nationally Described Space Standard. These standards deal with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
- 6.12 The full requirements of the standard can be found at Appendix 3. Table 3 below also provides the minimum gross internal floor areas and storage required by number of bedrooms/designed occupancy. National Planning Practice Guidance indicates that local planning authorities should take account of three key areas and these are address in turn below.

Local context and Recommendations

1) Need

¹⁹ National Planning Practice Guidance. Paragraph: 013 Reference ID: 56-013-20150327

²⁰ [Position Statement on Nutrient Neutral Development \(June 2019\)](#)

“evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.”

Background

- 6.13 The Council's [Healthy Borough Assessment](#) highlights how smaller homes can also affect both the physical and mental health of occupants²¹. Homes of an adequate size can ensure that occupants are able to have a good quality of life and support healthier lifestyles and improved wellbeing. Space standards are the tool that Government have made available to facilitate this.
- 6.14 There are circumstances where particularly high densities of dwellings, necessitating a higher proportion of one bedroom properties are completely valid, such as town centre schemes designed for a younger market. Nonetheless, generally speaking, one-bedroom homes offer limited flexibility to accommodate changing requirements, and different household compositions mean they are therefore often quickly outgrown. For example, paragraph 2.16 illustrates the different types of household compositions that can be accommodated by a two-bedroom property in the Borough. In this respect, it is noted that the Nationally Described Space Standards set out standards for individual dwelling types with reference to the number of bedspaces or people. This allows for different combinations of single and double/twin bedrooms, and varying amounts of living, dining, kitchen and storage space; all of which are related to the potential occupancy.
- 6.15 In addition to the above, a qualitative assessment of large site completions during the 18/19 monitoring year and outstanding permissions at April 2019 was undertaken in order to gain an understanding of the type and size of dwellings being built in the Borough. This included analysis of the size of dwellings permitted or constructed on large sites across eight major housing schemes in the Borough. In total, this included 917 dwellings comprising 144 different dwelling types including schemes comprising a combination of houses and apartments, and wholly houses or flats.
- 6.16 This follows representations in response to the Pre-Submission (Regulation 19) consultation which questioned the need for the introduction of Nationally Described Space Standards in Havant Borough.

Methodology

- 6.17 The planning application for each large scheme was reviewed, and the accommodation schedule used to compare the gross internal area for each unit against the nationally described space standards
- 6.18 Whilst it is noted that the nationally described space standards include a minimum gross internal floor area (m²) for storage, this did not form part of the assessment. Where details of the proposed occupancy for each unit were not included, the lowest space standard was taken as an indication of whether or not the dwelling type met the space standards. On this basis, it is considered that a conservative assessment of dwelling size was undertaken. Full details can be found at Appendix 4.

Findings

²¹ [Housing Standards Review: Final Implementation Impact Assessment \(March 2015\)](#)

- 6.19 Of the 917 dwellings included in the assessment, 35% were identified as being compliant with the nationally described space standards for the relevant dwelling type, size and occupancy.
- 6.20 Compliance with the nationally described space standards also varied significantly from scheme to scheme. Woodcroft Primary School (reference APP/1900281) comprising 43 dwellings was the highest performing development, with over 83% of dwellings complying with the space standards, followed by South of Bartons Road (reference APP/18/00453) comprising 175 dwellings with 68% compliant dwellings.
- 6.21 In contrast, only 4% of the 147 dwellings as part of the planning permission for Selangor Avenue (reference APP/16/00774) are compliant with the space standards, and 18% of the 53 dwellings at Coldharbour Farm (reference APP/14/00360) comply.
- 6.22 Analysis also indicates that 2 and 3 bed houses generally fall short of the identified space standards irrespective of occupancy (number of persons) including some affordable units. This is particularly pertinent bearing in mind that two-bedroom properties tend to offer greater flexibility in terms of being able to accommodate changing lifestyles and household compositions.
- 6.23 By way of illustration, non-compliant 2 bed house types (4 people) had an average gross internal area of 72.3 sqm compared to the nationally described space standard of 79 sq. m, a difference of - 8.5%. For 3 bed house types (5 people), the nationally described space standard is 93 sq. m, but the average dwelling size non-compliant for that house type is 85.1 sq m, the same difference of - 8.5%.
- 6.24 Overall the quantitative analysis highlighted that almost two thirds of the dwellings included in the sample did not comply with the Nationally Described Space Standard. It is also noted that two- and three-bedroom houses typically fall short of the standard but are only marginally smaller than the nationally described space standard. This suggests there would be likely be a marginal impact on build costs to achieve the internal space standards required.

Impact on starter homes

- 6.25 In terms of any impact on starter homes, there remains a significant affordability gap for starter homes and discounted market sales for two thirds of applicants registered with Help to Buy South. Average incomes and savings of applicants mean they are effectively priced out of the market. As such, it is questionable to what extent starter homes will meet the needs of the Borough's residents.
- 6.26 Information from Help to Buy South²² suggests there continues to be strong demand for shared ownership properties, which is likely to continue based on average income and savings of applicants registered with Help to Buy South. For this reason, it is considered that the impact on demand for starter homes is likely to be negligible.
- 6.27 Build to rent
- 6.28 Build to rent is still an emerging sector and these products will be expected to meet the same space standards to conventional housing accordingly. Whilst some operators or developers may argue for a reduced space standard, further evidence is needed to understand different operating models and whether these offer a quality of life for their tenants²³. On this basis, it is recommended that

²² Help to Buy South Application & Completion Statistics. Havant – April 2018

²³ [Trust for London - Making the Most of Build for Rent \(January 2017\)](#)

applicants should demonstrate that their proposed development offers a good standard of living accommodation with reference to tried and tested examples, and good design practice.

2) Viability

“the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.”

- 6.29 The Local Plan and CIL Viability Study²⁴ considers the impact of the introduction of Nationally Described Space Standards to be viable, provided that there is sufficient flexibility within any policy requirement. Whilst this requirement may have a very small negative impact on viability, it should be considered at the early planning and design stages of developments.
- 6.30 It is however, acknowledged that that in all likelihood the introduction of nationally described space standards will marginally worsen affordability. Nevertheless, the quantitative analysis of dwellings currently built and under construction in the Borough suggests that size of dwellings are only slightly smaller than set out by the Nationally Described Space Standards. As such, the impact on affordability is likely to be negligible and should be considered holistically in the context of achieving sustainable development.
- 6.31 Timing
- “there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.”*
- 6.32 The requirement for internal space standards was initially consulted on at Draft (Regulation 18) stage in the preparation of the Local Plan which was subject to consultation between 8 January and 16 February 2018, and more recently at Pre-Submission (Regulation 19) stage between 4 February and 18 March 2019.
- 6.33 Housebuilders have therefore been aware for some time that the Council intends to introduce internal space standards for new dwellings. As such, transitional provisions are not considered necessary.

²⁴ [Local Plan and CIL Viability Study Final Report – Dixon Searle Partnership \(January 2019\)](#)

Appendix 1

Self and Custom Build Housing Questionnaire

Havant Borough Council are currently updating the Self Build Register.

You are being contacted as you have previously shown an interest in

building your own home and requested to be included on the Self Build Register.

The questionnaire will only take 2 minutes to complete and your participation will be greatly appreciated.

Q1 Are you still looking for a Self Build plot in Havant Borough

Yes

No

Q2 If No, could you please indicate the reason you are no longer looking for a self build plot.

(This question will only be seen by people who tick No)

Already obtained a plot in the borough.....

Already obtained a plot outside the borough

Change in circumstances.....

Purchase of a pre-constructed property.....

Other

Other please

specify?

Q3 Are you registered on any other Council's Self Build Register

Yes

No

If yes, please tell us

which Council

Q4 Are you registered with local land / estate agents with regard to sourcing a Self Build plot?

Yes

No

Q5 How do you intend to finance your self build?

Mortgage

Cash in the bank / proceeds of property sale.....

Other

Other, please

specify

Q6 Tell us how far advanced you are with your self build project (please select all that apply)

Still searching for a suitable site.....

Finance is in place.....

An architect or development professional is engaged

Pre-application discussions with the Council

None of these

Q7 Would you consent to your details being passed to local land / estate agents so details of self build plots that may come up for sale can be passed on?

Yes

No

Thank you for your time

Appendix 2

Optional Accessibility Standards

Part M access to and use of buildings Category 2 - accessible and adaptable dwellings M4(2) optional requirement
1. Reasonable provision must be made for people to – a) Gain access to; and b) Use, the dwelling and its facilities. 2. The provision must be sufficient to – a) Meet the needs of occupants with differing needs, including some older or disabled people; and b) To allow adaptation of the dwelling to meet the changing needs of occupants over time. <i>Limits on application</i> a) May apply only in relation to a dwelling that is erected; b) Will apply in substitution for requirement M4(1) c) Does not apply where optional requirement M4(3) applies; d) Does not apply to any part of the building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained
Part M access to and use of buildings Category 3 – wheelchair user dwellings M4(3) optional requirement
1. Reasonable provision must be made for people to – a) Gain access to; and b) use, the dwelling and its facilities. 2. The provision must be sufficient to – a) Allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs; or b) Meet the needs of occupants who use wheelchairs. <i>Limits on application</i> a) May apply only in relation to a dwelling that is erected; b) Will apply in substitution for requirement M4(1) c) Does not apply where optional requirement M4(2) applies; d) Does not apply to any part of a building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.

Appendix 3

Internal Space Standards – Minimum gross internal floor areas and storage (m²)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Appendix 4

Analysis of compliance with gross internal floor areas (m²) for space standards

Application no	Address	No of beds & type	Floors	Floor space (sqm)	Nationally Described Space Standards	Below or above standards	Units
APP/17/00358	West of Horndean Road (125 dwellings) 36.8% compliant (46 units)	2 bed house (4perso	2	67.8 sqm	79 sqm	11.2 sqm below x 12	12
		2 bed house (4p)	2	70.4 sqm	79 sqm	8.6 sqm below x 9	9
		2 bed house (4p)	2	74.5 sqm	79 sqm	4.5 sqm below x 7	7
		2 bed house (4p)	2	78.1 sqm	79 sqm	0.9 sqm below x 30	30
		3 bed house (5p)	2	91.4 sqm	93 sqm	1.6 sqm below x 8	8
		3 bed house (5p)	2	74.5 sqm	93 sqm	18.5 sqm below x 6	6
		3 bed house (5p)	2	94.3 sqm	93 sqm	1.3 sqm above x 15	15
		3 bed house (5p)	2	92.5 sqm	93 sqm	0.5 sqm below x 5	5
		4 bed house (6p)	2	113.1 sqm	106 sqm	7.1 sqm above x 11	11
		4 bed house (6p)	2	114.1 sqm	106 sqm	8.1 sqm above x 10	10
		4 bed house (6p)	2	143.7 sqm	106 sqm	37.7 sqm above x 5	5
		4 bed house (6p)	2	147.4 sqm	106 sqm	41.4 sqm above x 5	5
		4 bed house (6p)	2	105.5 sqm	106 sqm	0.5 sqm below x 2	2
		4 bed house (6p)	2				
APP/14/00360	Coldharbour Farm (53 dwellings) 18.87% compliant (10 dwellings)	1 bed flat (2p)	1	45 sqm	50 sqm	5 sqm below x 8	8
		2 bed flat (3p)	1	61.4 sqm	61 sqm	0.4 sqm above x 8	8
		2 bed house (3p)	2	66.2 sqm	70 sqm	3.8 sqm below x 9	9
		2 bed house (4p)	2	75 sqm	79 sqm	4 sqm below x 8	8
		3 bed house (5p)	2	85 sqm	93 sqm	8 sqm below x 9	9
		3 bed house (4p)	2	77.4 sqm	84 sqm	6.6 sqm below x 9	9
		4 bed house (6p)	3	119.3 sqm	112 sqm	7.3 sqm above x 2	2
APP/14/00863	North of Bartons Road (55 dwellings) 40% compliant (22 dwellings)	2 bed apartment (4p)	1	59 sqm	70 sqm	11 sqm below x 2	2
		2 bed apartment (4p)	1	70 sqm	70 sqm	-	2
		2 bed apartment (4p)	1	71 sqm	70 sqm	1 sqm above x 2	2
		2 bed house (4p)	2	74 sqm	79 sqm	5 sqm below x 5	5
		2 bed house (4p)	2	76 sqm	79 sqm	3 sqm below x 1	1
		2 bed house (4p)	2	77 sqm	79 sqm	2 sqm below x 4	4

Application no	Address	No of beds & type	Floors	Floor space (sqm)	Nationally Described Space Standards	Below or above standards	Units
		3 bed house (5p)	2	83 sqm	93 sqm	10 sqm below x 1	1
		3 bed house (5p)	2	79 sqm	93 sqm	4 sqm below x 16	16
		3 bed house (5p)	2	85 sqm	93 sqm	8 sqm below x 3	3
		3 bed house (5p)	2	102 sqm	93 sqm	9 sqm above x 12	12
		4 bed house (6p)	2	97 sqm	106 sqm	9 sqm below x 1	1
		4 bed house (6p)	2	115 sqm	106 sqm	9 sqm above x 3	3
		4 bed house (6p)	2	121 sqm	106 sqm	15 sqm above x 1	1
		4 bed house (6p)	2	126 sqm	106 sqm	20 sqm above x 1	1
		5 bed house (8p)	2	140 sqm	128 sqm	12 sqm above x 1	1
APP/18/00453	South of Bartons Road (175 dwellings) 68% compliant (119 dwellings)	1 bed flat (based on 119 dwellings)	1	51.1 sqm	39 sqm	12.1 sqm above x 5	5
		2 bed flat (based on 119 dwellings)	1	58.7 sqm	61 sqm	2.3 sqm under x 4	4
		2 bed flat (based on 119 dwellings)	1	66.1 sqm	61 sqm	5.1 sqm above x 4	4
		2 bed flat (based on 119 dwellings)	1	69.7 sqm	61 sqm	8.7 sqm above x 10	10
		2 bed house (based on 119 dwellings)	2	59.7 sqm	70 sqm	10.3 sqm below x 9	9
		2 bed house (based on 119 dwellings)	2	78.2 sqm	70 sqm	8.2 sqm above x 8	8
		2 bed house (based on 119 dwellings)	2	70.5 sqm	70 sqm	0.5 sqm above x 11	11
		3 bed house (based on 119 dwellings)	2	74.5 sqm	84 sqm * based on 119 dwellings	9.5 sqm below x 18	18
		3 bed house (based on 119 dwellings)	2	83.1 sqm	84 sqm * based on 119 dwellings	0.9 sqm below x 25	25
		3 bed house (based on 119 dwellings)	2	91.5 sqm	84 sqm * based on 119 dwellings	7.5 sqm above x 18	18
		3 bed house (based on 119 dwellings)	2	88.1 sqm	84 sqm * based on 119 dwellings	4.1 sqm above x 6	6
		3 bed house (based on 119 dwellings)	2	91.6 sqm	84 sqm * based on 119 dwellings	7.6 sqm above x 17	17
		4 bed house (based on 119 dwellings)	2	111.4 sqm	97 sqm * based on 119 dwellings	14.4 above x 10	10
		4 bed house (based on 119 dwellings)	2	114.1 sqm	97 sqm * based on 119 dwellings	17.1 sqm above x 5	5
		4 bed house (based on 119 dwellings)	2	119.8 sqm	97 sqm * based on 119 dwellings	22.8 sqm above x 6	6
		4 bed house (based on 119 dwellings)	2	136 sqm	97 sqm * based on 119 dwellings	39 sqm above x 9	9
		4 bed house (based on 119 dwellings)	2	144 sqm	97 sqm * based on 119 dwellings	47 sqm above x 6	6
		4 bed house (based on 119 dwellings)	2	105 sqm	97 sqm * based on 119 dwellings	8 sqm above x 4	4
APP/16/00774	Selangor Avenue (147 dwellings) 4.08% compliant (6 dwellings)	2 bed flat (3p)	1	54.3 sqm	61 sqm	6.7 sqm below x 9	9
		2 bed flat (4p)	1	62.8 sqm	70 sqm	7.2 sqm below x 9	9

Application no	Address	No of beds & type	Floors	Floor space (sqm)	Nationally Described Space Standards	Below or above standards	Units
		2 bed house (4p)	2	63.1 sqm	79 sqm	15.9 sqm below x 6	6
		2 bed house (4p)	2	71.6 sqm	79 sqm	7.4 sqm below x 17	17
		2 bed house (4p)	2	98.3 sqm	79 sqm	19.3 sqm above x 1	1
		2 bed house (4p)	2	65.4 sqm	79 sqm	13.6 sqm below x 5	5
		2 bed house (4p)	2	78.2 sqm	79 sqm	0.8 sqm under x 18	18
		3 bed house (5p)	2	77.1 sqm	93 sqm	15.9 sqm below x 32	32
		3 bed house (5p)	2	85.2 sqm	93 sqm	7.8 sqm below x 19	19
		3 bed house (5p)	2	86 sqm	93 sqm	7 sqm below x 3	3
		3 bed house (5p)	2	89 sqm	93 sqm	4 sqm below x 7	7
		3 bed house (5p)	2	98.3 sqm	93 sqm	5.3 sqm above x 1	1
		4 bed house (7p)	2	121.6 sqm	115 sqm * based	6.6 sqm above x 4	4
		4 bed house (8p)	2	122.4 sqm	124 sqm	1.6 sqm below x 16	16
APP/19/00076	Woodcroft Farm (288 dwellings) 28.47% compliant (82 dwellings)	1 bed flat (2p)	1	50.7 sqm	50 sqm	0.7 sqm above x 1	1
		1 bed flat (2p)	1	62.5 sqm	50 sqm	12.5 sqm above x 2	2
		1 bed flat (2)	1	53.3 sqm	50 sqm	3.3 sqm above x 2	2
		1 bed flat (2p)	1	58 sqm	50 sqm	8 sqm above x 4	4
		2 bed flat (4p)	1	67.2 sqm	70 sqm	2.8 sqm below x 22	22
		2 bed flat (4p)	1	62.8 sqm	70 sqm	7.2 sqm below x 2	2
		2 bed flat (4p)	1	66 sqm	70 sqm	4 sqm below x 3	3
		2 bed flat (4p)	1	67.3 sqm	70 sqm	2.7 sqm below x 3	3
		2 bed flat (4p)	1	67.4 sqm	70 sqm	2.6 sqm below x 4	4
		2 bed flat (4p)	1	70.2 sqm	70 sqm	0.2 sqm above x 12	12
		2 bed flat (4p)	1	72.9 sqm	70 sqm	2.9 sqm above x 2	2
		2 bed flat (4p)	1	60.4 sqm	70 sqm	9.6 sqm below x 2	2
		2 bed house (4p)	2	63.2 sqm	79 sqm * based	15.8 sqm below x 34	34
		2 bed maisonette (4p)	1	67.1 sqm	70 sqm * based	2.9 sqm below x 1	1
		2 bed maisonette (4p)	1	74.1 sqm	70 sqm * based	4.1 sqm above x 1	1
		2 bed house (4p)	2	75.4 sqm	79 sqm * based	3.6 sqm below x 14	14
		2 bed house (4p)	2	75 sqm	79 sqm * based	4 sqm below x 13	13
		3 bed house (5p)	2	77.5 sqm	93 sqm * based	15.5 sqm below x 15	15

Application no	Address	No of beds & type	Floors	Floor space (sqm)	Nationally Described Space Standards	Below or above standards	Units
		3 bed house (5p)	2	84.8 sqm	93 sqm * based	8.2 sqm below x 2	2
		3 bed house (5p)	2	85 sqm	93 sqm * based	8 sqm below x 29	29
		3 bed house (5p)	2	85.2 sqm	93 sqm * based	7.8 sqm below x 16	16
		3 bed house (5p)	2	85.6 sqm	93 sqm * based	7.4 sqm below x 1	1
		3 bed house (5p)	2	86.4 sqm	93 sqm * based	6.6 sqm below x 13	13
		3 bed house (5p)	2	92 sqm	93 sqm * based	1 sqm below x 5	5
		3 bed house (5p)	2	92.8 sqm	93 sqm * based	0.2 sqm below x 1	1
		3 bed house (5p)	2	93.6 sqm	93 sqm * based	0.3 sqm above x 2	2
		3 bed house (5p)	2	95.2 sqm	93 sqm * based	2.2 sqm above x 2	2
		3 bed house (5p)	2	97.5 sqm	93 sqm * based	4.5 sqm above x 8	8
		3 bed house (5p)	2	107 sqm	93 sqm * based	14 sqm above x 4	4
		3 bed house (6p)	3	107.4 sqm	108 sqm	0.6 sqm below x 26	26
		4 bed house (6p)	2	100 sqm	106 sqm * based	6 sqm below x 3	3
		4 bed house (7p)	2	116.9 sqm	115 sqm * based	1.9 sqm above x 7	7
		4 bed house (7p)	2	118.9 sqm	115 sqm * based	3.9 sqm above x 11	11
		4 bed house (7p)	2	120.9 sqm	115 sqm * based	5.9 sqm above x 2	2
		4 bed house (8p)	2	127.7 sqm	124 sqm * based	3.7 sqm above x 2	2
		4 bed house (8p)	2	128.5 sqm	124 sqm * based	4.5 sqm above x 1	1
		4 bed house (8p)	2	131 sqm	124 sqm	7 sqm above x 18	18
		4 bed house (7p)	2	133.2 sqm	115 sqm * based	18.2 sqm above x 1	1
APP/19/00281	Woodcroft Primary School (43 dwellings) 83.72% compliant (37 dwellings)	1 bed flat (based on)	1	58 sqm	39 sqm	19 sqm above x 4	4
		2 bed flat (based on)	1	77 sqm	61 sqm	16 sqm above x 2	2
		2 bed house (4p)	2	80 sqm	79 sqm	1 sqm above x 13	13
		3 bed house (5p)	2	94 sqm	93 sqm	1 sqm above x 8	8
		3 bed house (5p)	2	96 sqm	93 sqm	3 sqm above x 3	3
		3 bed house (5p)	2	102 sqm	93 sqm	9 sqm above x 6	6
		4 bed house (7p)	2	112 sqm	115 sqm	3 sqm below x 7	7
APP/17/00369	The Curlew (31 dwellings) 16.12% compliant (5 dwellings)	1 bed flat (based on)	1	38.1 sqm	39 sqm	0.9 sqm under x 1	1
		1 bed flat (based on)	1	40.7 sqm	39 sqm	1.7 sqm above x 2	2

Application no	Address	No of beds & type	Floors	Floor space (sqm)	Nationally Described Space Standards	Below or above standards	Units
		1 bed flat (based on 10 sqm)	1	46.9 sqm	39 sqm	7.9 sqm above x 1	1
		1 bed flat (based on 10 sqm)	1	47 sqm	39 sqm	8 sqm above x 2	2
		2 bed flat (based on 20 sqm)	1	47.8 sqm	61 sqm	13.2 sqm under x 1	1
		2 bed flat (based on 20 sqm)	1	51.2 sqm	61 sqm	9.8 sqm under x 2	2
		2 bed flat (based on 20 sqm)	1	57.1 sqm	61 sqm	3.9 sqm under x 22	22

