

Planning Application Response of Planning Policy

Application No:	APP/19/00427
Site Address:	Land at Lower Road, Havant
Development:	Development of 50 dwellings together with access, landscaping and open space
Case Officer:	Daphney Haywood
Comments by:	Jade Ellis
Date of Comments:	6 June 2019

Policy Status:

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the [Hampshire Minerals and Waste Plan](#), provide the development plan for the borough. The [Pre-submission Havant Borough Local Plan 2036](#) (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

The following policies are of particular relevance:

- CS17 – Concentration and Distribution of Development within Urban Areas
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

In the Pre-submission Plan the following policies are of particular relevance:

- DR1 | Delivery of sustainable development
- E3 | Landscape and settlement boundaries
- IN1 | Effective provision of infrastructure
- IN3 | Transport and parking in new development
- IN5 | Future management and Management Plans
- E1 | High quality design
- E2 | Health and wellbeing
- E9 | Provision of open space in new development
- E12 | Low carbon design
- E13 | Historic environment and heritage asset
- E16 | Solent Special Protection Areas
- E17 | Brent Goose and Wader feeding and roosting sites
- H1 | High quality new homes
- H2 | Affordable housing
- H3 | Housing density
- H4 | Housing mix
- H20 | Land south of Lower Road

Principle of Development:

In the adopted local plan, the site lies outside of the urban area as defined by policies CS17 and AL2 of the adopted plan. These policies seek to restrict development in these locations, except in exceptional circumstances. I do not consider that any of the exceptions in the policy apply here, the proposal being a residential development on greenfield land.

The site is however identified as a proposed allocation in the Pre-Submission Local Plan under Policy H20. This continues the direction of travel that was set out in the Local Plan Housing Statement (now revoked) in 2016 and the subsequent Draft Local Plan consultation in 2018.

Overall, whilst the adopted Local Plan resists the principle of development in this location, the emerging plan clearly supports the principle, and this must be given weight in the determination of this application. In terms of the latter, the applicant has submitted a Statement of Conformity but does not include an assessment against all of the relevant policies in the Pre-Submission Local Plan and is limited in terms of the information provided.

Development Requirements:

The emerging site allocation policy sets out development requirements which should be considered in the determination of this application.

High Quality Design and Heritage:

The development proposals are subject of a detailed planning application reflecting the proximity of the Old Bedhampton Conservation Area in line with Policy H20.

Criteria b. of the emerging policy (H20) sets out which nearby heritage assets and their setting must be addressed. The Council's Conservation Officer will be able to advise whether these have been satisfactorily addressed as part of the applicant's Heritage Statement.

Ecology:

The site is identified as a Low Use Site for Solent Waders and Brent Geese (SWBG) under emerging policy E17 in the Pre-Submission HBLP 2036, and within the [Brent Goose and Wader Strategy \(October 2018\)](#) (SWBGS). Development proposals on, or adjacent to, sites which are used by Solent waders and/or Brent Geese need to be assessed in line with the appropriate regulations. The proposals will, therefore, require a project level Habitats Regulations Assessment (HRA) and, if necessary, an Appropriate Assessment (AA).

Policy E17 states that development proposals on Low Use Sites will be permitted where:

- i. On site mitigation is provided which is based upon appropriate ecological assessments to the satisfaction of the Council and Natural England; or*
- j. A financial contribution is provided consistent with the SWBG Strategy.*

On this basis, the submitted Ecological Assessment suggests the development proposals will contribute to appropriate avoidance measures through a Section 106 agreement.

The site also lies in an Opportunity Area as defined by the Local Ecological Network Map where there are opportunities to recreate or restore habitats. The Council's Ecologist will be able to provide further advice on this matter.

Source Protection Zones:

The site lies outside, but in close proximity to the Groundwater Source Protection 1c for Bedhampton and Havant Springs. Policy DM10 (in the Adopted Local Plan) and emerging Policy E21 (in the Pre-Submission Local Plan) are therefore of relevance. It is also noted that there are multiple mapped 'solution features' within 500m of the site.

The Environment Agency and Portsmouth Water will be able to provide further advice in terms of where solution features are present, and if any conditions should be imposed.

The site overlays a Principal Aquifer and the developer should be aware of the possible constraints to construction methods with regard to protection of the water environment in line with policy E21 and/or further advice from Portsmouth Water.

Conclusion

The principle of the development of this site is supported by the emerging policy position in the Pre-Submission HBLP 2036.

In terms of the detailed development management policy considerations, an assessment will need to be made regarding the weight which should be afforded to emerging policies. The applicant's statement of conformity with the emerging Local Plan should be used to inform that assessment and further information is required in this regard.