

PLANNING APPLICATION RESPONSE OF PLANNING POLICY

Application No:	APP/19/01101
Site Address:	Land east of College Road, Campdown, Purbrook
Development:	Hybrid planning application comprising; full planning application for the erection of 130 dwellings with the creation of new access onto College Road, landscape, drainage, car parking and associated works; and outline planning application for up to 650 dwellings, community and nursery facility (use class D1 and D2), retail unit (use class A1), public open space, landscaping, diversion of public right of way and associated works and infrastructure.
Case Officer:	Daphney Haywood
Comments by:	Jade Ellis
Date of Comments:	15 April 2020

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 in January 2019 and must be afforded some weight.

The following Adopted Local Plan policies are of particular relevance:

- CS9 – Housing
- CS16 – High Quality Design
- CS17 – Concentration and Distribution of Development within the Urban Areas
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development
- 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
- DR2 | Regeneration
- IN1 | Effective provision of infrastructure
- IN3 | Transport and parking in new development
- IN4 | Future management and Management Plans
- H1 | High quality new homes
- H2 | Affordable housing
- H3 | Housing density
- H4 | Housing mix
- E1 | High quality design
- E2 | Health and wellbeing
- E3 | Landscape and settlement boundaries
- E9 | Provision of public open space in new development
- E12 | Low carbon design
- E16 | Solent Special Protection Areas

- E17 | Solent Wader and Brent Goose feeding and roosting sites
- E22 | Amenity and pollution
- H40 | Campdown

In addition to the above, the Council published changes to the Pre-Submission Plan which were due to be considered at Cabinet and Council on 25 March 2020. That meeting was cancelled due to the Covid19 pandemic, but the intention will be for the item to be considered at a future Cabinet and Council meeting.

Whilst these changes to the Pre-Submission Plan may not have weight in development management, they are intended to address the main issues arising from the Regulation 19 consultation at the beginning of 2019 and are material to the determination of this application accordingly. As such, it is still recommended that they are considered as it is perfectly possible that by the point of determination, they could have at least limited weight.

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 housing development on greenfield land.

The site is however, identified as a proposed allocation in the Pre-Submission Local Plan under Policy H40 which can be afforded limited weight at this stage.

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 relevant policies in the Pre-Submission Local Plan and is limited in terms of the information provided. Comments on the submitted 'Emerging Statement of Compliance' are set out below.

Policy	Requirement	Comment
Delivery of Sustainable Development (DR1)	Development proposals should not undermine the future development potential of other allocated sites.	Whilst it is acknowledged the development proposals would contribute to housing delivery, the statement has not addressed coordination of development with the South Downs College Car Park (KP8) in accordance with criterion c. of the emerging allocation. In particular, the ability to achieve vehicular access from College Road to both sites.
Regeneration (DR2)	A contribution towards a community officer to help new residents in the development integrate into existing communities; and a financial contribution towards on-site training and jobs for local people or a site-specific Skills	The statement does not address these requirements.

Policy	Requirement	Comment
	and Employment Plan to be secured through S106.	
Effective Provision of Infrastructure (IN1)	A financial contribution towards infrastructure where there is a need to make the development acceptable in planning terms.	The statement does not address the need for sports provision, changing facilities associated with the artificial grass pitch at College Road; notwithstanding the site's emerging allocation for community centre with sports facilities.
Improving Transport Infrastructure (IN2)	Transport measures which support the safe and efficient operation of the local transport network.	The statement does not provide any detail of the works proposed at the Crookhorn Lane/Portsmouth Hill junction and/or how the residents of the proposed development would be incentivised to use sustainable transport options.
Transport and parking in new development (IN3)	Electric Vehicle charging infrastructure should be provided for each new residential unit with private off-street parking.	The statement does not address this policy requirement.
Internal Space Standards (Policy H1)	A requirement for dwellings to meet the nationally described internal space standards (nationally described space standards)	The applicant has asserts that the space standard can only applied once the Plan has been successfully passed through Examination. However, a Compliance Check is not the place for the applicant to highlight concerns regarding the validity of the policy. It is unclear whether the scheme is policy compliant on the basis of information provided. Information regarding the extent of compliance and how non-compliant relevant house types are will enable the LPA to further consider this.
Enhanced Accessibility Standards (Policy H1)	30% of proposed dwellings to meet enhanced accessibility standards (M4(2)) and 2 of the total proposed dwellings to meet wheelchair accessible standards (M4 (3))	The applicant is not proposing to provide any dwellings that meet these standards.
Private Amenity Space (Policy H1)	Requires sufficient private and/or communal outdoor amenity space to be provided.	The submitted site layout indicates that the houses would benefit from private amenity space, but clarification is needed as to whether the proposed gardens would meet the requirements of the policy at least for phase 1 which is submitted in detail.

Policy	Requirement	Comment
		The submitted elevations do not show the provision of any balconies, and there appears to be limited provision for communal space around the apartment building in phase 1.
Housing Mix (Policy H4)	Development proposals should provide a range of dwelling types and sizes to meet identified housing. This should incorporate approximately 35% as two-bedroom homes as part of the overall housing mix (both market and affordable).	The statement indicates that a minimum of 35% would be provided as two bedroom homes. However, only 28.6% of market provision would be provided as two-bedrooms, but an overprovision of 46.2% in two-bedroom affordable products. It is recommended a broader range of affordable housing units are provided. The Council's Housing Team has provided further advice on this matter.
Low Carbon Design (Policy E12)	Residential development is expected to achieve a 19% reduction in Dwelling Emission Rate.	The applicant disputes the justification for this policy and does not propose to address this requirement. As set out above, a Compliance Check is not the place for the applicant to highlight concerns regarding the validity of the policy. As an unallocated site in the Adopted Local Plan but emerging site allocation, we would expect the scheme to demonstrate how it is meeting this particular requirement in the new Local Plan.
Management Plans (Policy IN5)	A management plan is likely to be required through a legal agreement to establish the whole life management and maintenance of the common parts within the development.	The statement suggests that maintenance of common parts will be either adopted by the relevant authority or through an established management company. This can be secured through a legal agreement.

To reiterate - as an unallocated site in the Adopted Local Plan but emerging site allocation, the Council expects the scheme to demonstrate how it is meeting the new requirements and standards in the new Local Plan. This will be necessary to enable the LPA to consider the planning balance, particularly if the scheme moves forward for consideration prior to the adoption of the new Local Plan. In addition, it should be noted that, the scale of the site means delivery will be over many years and subsequent reserved matters applications are inevitably to be considered and determined once the Local Plan has been adopted and can be afforded full weight.

Site Opportunities, Constraints and Development Requirements:

A full set of developer considerations is set out in the emerging allocation policy; please see Policy H40 in the Pre-Submission Draft Local Plan. The applicant should ensure the site

issues are satisfactorily addressed as part of the package of information submitted with the planning application.

The Pre-Submission Draft HBLP included a disclaimer at the start of the policy which highlighted that (at the time) a Scheduled Ancient Monument was in the process of being re-designated and this may affect the area of the site suitable for housebuilding. Since consultation on the Pre-Submission Draft concluded, the re-designation of the Scheduled Ancient Monument for the buried Roman villa and road (the Roman villa) has been confirmed. This is reflected in the changes to the Pre-Submission Plan and is considered under the 'Heritage' considerations below.

The proposed changes to the Pre-Submission Plan include an increase of the site capacity of the emerging allocation from 'about 560 dwellings' to 'about 650 dwellings'. In comparison, the planning application seeks planning permission for a total of up to 780 dwellings (full): 130 dwellings for the first phase of the site, with up to 650 dwellings on the remainder of the site (outline). In this respect, it is noted that this hybrid planning application seeks planning permission for a greater quantum of development than the identified site capacity than the changes to the Plan.

The site capacities of allocations in the emerging Pre- Submission Local Plan are set at 'about' rather than minimums or maximums. This is because depending on the form of development proposed through a planning application, it could be that different numbers of homes are achieved subject to other relevant policies or material considerations in the Plan.

Heritage:

Criterion a. ii. of the site allocation policy which requires a "*Heritage Statement including 1) an archaeological assessment and 2) a Setting Study which considers the impact of development on the significance of the three Scheduled Monuments [SM] and their significance*" (emphasis added).

No such assessment has been submitted with the application, nor was such an assessment agreed at pre-application stage. In this respect, it is noted that Historic England has raised fairly substantial objections, and the applicant will need to engage with them in order to understand the heritage matters which need to be addressed.

It is noted from email correspondence from the applicant dated 3rd April 2020 that the layout is currently being reviewed following a meeting with Historic England in response to these concerns.

Brent Geese and Waders:

As you are aware, most of the site is identified as a Primary Support Area for Solent Waders and Brent Geese (SWBG) under emerging policy E17 in the Pre-Submission HBLP 2036, and in the [Solent Waders and Brent Goose Strategy \(October 2018\)](#) (SWBGS).

The Solent's Special Protection Areas are designated¹ in part due to the assemblages of Brent Geese. As such, a project level Habitat Regulations Assessment (HRA) will need to be carried out² and inform any package of avoidance and mitigation measures for Solent Waders and Brent Geese, to determine levels of impact, alone and in combination with other plans and projects. In this respect, the applicant has submitted revised information to inform the Council's HRA.

¹ Protected under Directive 2009/147/EC of the Conservation of Wild Birds

² Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017

Emerging policy E17 (Solent Wader and Brent Goose feeding and roosting sites) in the Pre-Submission HBLP 2036 indicated that development proposals at Campdown (H40) will only be permitted where a suitable replacement habitat is provided, which:

- d. *Contributes to a biodiversity net gain to the SWBG network;*
- e. *Are suitable in terms of habitat type and quality for at least the number of SWBG recorded on the site being lost; and*
- f. *Is secured through a costed Habitat Management and Monitoring Plan.*

However, changes to the Pre-Submission Plan including Policy E17 set out that a replacement habitat should be specifically be provided at Warblington Farm (the subject of a separate allocation under Policy EXX):

“Development proposals at Campdown (H40), which is located on a Primary Support Area and a Secondary Support Area, will only be permitted where suitable replacement habitat is provided in perpetuity as part of Warblington Farm (EXX), or alternative provision agreed in consultation with the local planning authority”

This is reaffirmed by the changes to the developer requirements in the site allocation policy.

The submitted Winter Bird Mitigation Strategy indicates that an off-site Wader and Brent Goose Refuge would be created at Broadmarsh, the quality of which will be improved to be consistent with a Core site. In this respect, it is noted that the applicant has submitted further information in response to Natural England and the Council's Ecologist's concerns in relation to the suitability of Broadmarsh as an offsetting area.

The Council's Ecologist and Natural England will be able to comment further on whether this information addresses their concerns. However, it is understood that there are very few sites which are suitable for Curlew and Warblington Farm is able to offer what that species needs. Only once a suitable replacement habitat has been agreed in consultation with the local planning authority and Natural England should a HRA should be prepared and Natural England consulted on this.

Design and layout:

Emerging Policy H40 (criterion n. viii.) requires the design and layout to provide a high degree of permeability through an extensive network of walking and cycling routes across the site, including an on-site multi-user route running east-to-west linking to Havant Footpath 26c and Havant Bridleway 28 (Scratchface Lane). In this respect, it is noted the eastern edge of the red line does not extend to the Scratchface Lane and there will be a need to ascertain the ownership of this land to ensure that a route can be provided through.

In addition to the above, criterion n. ix. of the Policy H40 indicates the design and layout should provide pedestrian and cycle routes that are integrated throughout the development and provide connectivity between the site and HSDC South Downs site reference KP8. This is reinforced by Policy E2 (Health and well-being) of the Pre-Submission Local Plan which requires development proposals to promote active and healthy lifestyles through good urban design through the provision of high-quality pedestrian and cycle routes. Aside from the vehicular access achieved from the rear of houses in the far west of the site, there would be no means for pedestrians and cyclists to access the adjoining development.

Housing Density:

Policy H3 in the Pre-Submission HBLP 2036 sets out that any residential development outside of the town centres and defined opportunity areas and provide for a minimum of 40 dph. Based on a residential area of 16.87ha, the development proposals would provide a density of 46dph. This is potentially reduced with the inclusion of the retail and community centre. Nevertheless, Table 3.3 of the Environmental Statement suggests that density varies between 42.4dph on Phase 1 of the site to 50 dph on Phase 2 of the site, the latter being fairly central within the development site.

Whilst the policy generally supports residential development which maximises its contribution to addressing housing need, paragraph 6.33 of the Pre-Submission Local Plan indicates that site-specific constraints and local character may justify a different approach having regard to the context of the site. In this context, it is recognised the setting and the ability to appreciate the setting of the Scheduled Monuments may well have a bearing on the final form and layout of the development. It should also be noted that the topography of the site mean that the levels on site vary significantly.

Affordable Housing:

Policy CS9 of the Core Strategy together with emerging policy H2 in the Pre-Submission HBLP2036 set out the affordable requirement for the site. Of particular relevance is the need for 10% of the total number of new homes (gross) should be provided as shared ownership (as part of the overall affordable home ownership).

Table 3.2 of the ES indicates that 39 of the 130 units in Phase 1 would be provided as affordable housing. Of these, 12 would be shared ownership and 27 would be social rented, the former representing 9.2% of the overall housing provision falling slightly short of the 10% requirement for affordable home ownership products in paragraph 59 of the NPPF. In addition to the above, emerging Policy H2 also indicates that affordable housing should be evenly spread across the site, and indistinguishable from the rest of the development.

The Council's Housing Officer has also offered advice in terms of the overall tenure and mix of affordable housing that should be provided.

Open space and food growing:

The overall quantum of public open space should conform with the emerging public open space standard set out in emerging E9 (Provision of open space in new developments) in the Pre-Submission (HBLP 2036).

The emerging policy requires new open space to be provided to a standard of 1.5 ha per 1,000 population (equivalent to 15 sq. m per person), and where the open space requirement exceeds 0.5ha, an element of play. As the final mix of dwellings is not known for the latter phases of the site, it should be noted that a condition will be imposed to require the provision of open space in line with Table 5 of the Pre-Submission Local Plan through subsequent reserved matters applications.

Guidance should also be sought from the Council's Landscape Team to ensure that a high standard is achieved in the design, specification and layout of public open space.

Parking:

Policy DM13 and the [Havant Borough Parking SPD \(July 2016\)](#) set out the parking standards for new development in the Borough. The minimum standards for unallocated

residential parking can be found in Table 4B of the SPD, whilst the requirements for cycle parking/storage provision can be found in Table 4D of the SPD.

As set out above, Electric Vehicle charging points should also be provided for each residential unit in accordance with emerging Policy IN3 of the Pre-Submission Local Plan.

Summary

The principle of the development of this site is broadly supported in policy terms, based on the emerging policy position in the Pre-Submission HBLP 2036. However, there are relatively substantial areas of concern in relation to the setting of the Scheduled Monuments and the presence of Solent Waders and Brent Geese on the site which need to be resolved. As such, it is recommended that further engagement takes place with Historic England and Natural England and the local planning authority.

In addition, the applicant will be expected to demonstrate full compliance with the new requirements and standards in the emerging Local Plan. The site is unallocated, so this is necessary in order to provide justification for any grant of planning permission before the emerging Plan has been adopted. The submitted details including the Emerging Statement of Compliance indicate there remain fairly significant shortcomings against the emerging Local Plan requirements. It is recommended that the applicant looks to revise the submitted plans and details to ensure they are fully policy compliant with the new Local Plan in parallel with the discussions that are needed with these statutory consultees.