

Planning Policy Application Response

Application No	APP/18/00672
Address	Land off Westwood Close, Emsworth
Development	Erection of 36no. dwellings with associated parking, access from Westwood Close, diversion of Havant Footpath 73, landscaping and surface water drainage. Felling and works to trees within Area A1, subject to TPO 2071.
Case Officer	Daphney Haywood
Comments By	David Hayward
Date of Comments	12 th April 2019

Comments have been previously provided on this application. Given the change in policy status since that time, the comments below should be considered to replace those previously provided.

Policy Status

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan form the development plan for the borough.

Of particular relevance to the principle of the development are:

- CS9 Housing
- CS17 concentration and distribution of development within the urban area
- AL1 Presumption in Favour of Sustainable Development
- AL2 Urban Area Boundaries and Undeveloped Gaps between Settlements

The Council consulted on a [Pre-Submission version of the Havant Borough Local Plan 2036](#) between 4 February and 18 March 2019. This followed unanimous approval by Full Council on 30 January 2019 including a recommendation to submit the Pre-Submission Local Plan to the Secretary of State for Housing, Communities and Local Planning following the consultation. As part of this meeting, a deputation was made by the agent for the site proposing its inclusion in the plan although the Council voted to proceed with the plan.

The Pre-Submission Local Plan can only be afforded limited weight at this stage but may be afforded greater weight as the Plan progresses towards examination. The following policies are of particular relevance in relation to the principle of development:

- DR1 | Delivery of Sustainable Development
- IN1 | Effective provision of infrastructure
 - Criterion o. Flood Alleviation Scheme for the River Ems at Westwood Close (IN1F)
- E3 | Landscape and settlement boundaries

Other more detailed policies would also apply however these are not commented on as the principle of development is in dispute.

History of policy status

As described above, the site is not allocated in the adopted development plan. In accepting that a review of the adopted local plan was needed, the Council prepared the Local Plan Housing Statement in 2016. This set out a series of sites that were considered as 'early release sites'¹.

¹ See <http://www.havant.gov.uk/local-plan-2036/local-plan-housing-statement>

The application site was not included as a site in the Local Plan Housing Statement. It was part of a site that was considered and rejected for inclusion in the Housing Statement through the July 2016 Strategic Housing Land Availability Assessment (SHLAA)² as part of a larger site forming the western corridor of the River Ems.

The site was then included as a proposed development in the Draft Havant Borough Local Plan 2036³. It should be noted that a Draft Local Plan, given that it is at an early stage in the preparation process, is only ever afforded very limited weight.

Following consultation on the draft local plan, it was highlighted that further consideration was needed regarding the principle of development on this site⁴. In then moving from the Draft Local Plan to the Pre-Submission Local Plan, detailed discussions continued, most pertinently with the Environment Agency regarding the potential need to use the site for a strategic flood alleviate scheme for the River Ems. This was highlighted through the Strategic Flood Risk Assessment of Local Plan sites⁵ and the Sustainability Appraisal⁶.

The site is not allocated for development in the Pre-Submission Havant Borough Local Plan 2036⁷. In responding to that consultation, the Environment Agency have set out that *"We support the inclusion of this policy and are especially pleased to see the sites at Westwood Close (IN1F) and Southleigh (IN1G) safeguarded for flood alleviation schemes on the River Ems and Nore Farm Stream respectively."* The Agency continued to state *"The site at Westwood Close may potentially form part of an Environment Agency River Ems Flood Alleviation Scheme. As per the advisory note that we have previously given to Havant Borough Council and has been submitted as background evidence with this plan, we are currently looking at options to decrease flood risk in the Ems catchment. The project aims to reduce flood risk to approximately 300 houses in the area."*

Early conceptual work has identified the potential for flood storage on the land at Westwood Close. This would be facilitated by the construction of embankments to direct and hold floodwater in a safe and appropriate manner to reduce the risk of flooding to the existing community. We are therefore supportive of Havant's decision to safeguard the site at this time to ensure that any outputs from this project are not prohibited.

We support paragraph 4.7 which we feel is especially relevant for this situation. We are not in a position to say that this site will definitely form part of the scheme but it recognises that this land may be needed to deliver this key flood risk scheme and therefore should be protected from loss to other uses, pending the outcome of the preferred way forward for the scheme. We are also satisfied that Havant have highlighted that if further work shows that all or part of the land is not needed then it may be released for other purposes. The scheme is not far enough progressed at this time for us to know whether the site will be needed. We are working closely with Havant Borough Council to ensure that they have the most up to date information in relation to the project."

Moving forwards, the Local Development Scheme highlights the aim to submit the Havant Borough Local Plan 2036 to the Secretary of State by Q3 2019⁸.

² See Site UE27 (Land East of Westbourne Avenue) in the 2016 SHLAA at <https://www.havant.gov.uk/shlaa-8th-edition>

³ <http://www.havant.gov.uk/local-plan-2036/local-plan-housing-statement> - See proposed policy H10.

⁴ See summary report at http://www.havant.gov.uk/sites/default/files/documents/Covering%20report%20-%20Reg%2018_amended.pdf and detailed summary of consultation comments at <http://www.havant.gov.uk/sites/default/files/documents/Consultation%20tables%20corrected%20November%202018.pdf>.

⁵ See http://www.havant.gov.uk/sites/default/files/documents/Strategic%20Flood%20Risk%20Assessment%20%28Havant%20Local%20Plan%20Sites%29_0.pdf – site reference EM5A.

⁶ See http://www.havant.gov.uk/sites/default/files/documents/Sustainability%20Appraisal%20of%20the%20Pre-Submission%20HBLP%202036%20%28January%202019%29_0.pdf – site reference EM5A

⁷ See <http://www.havant.gov.uk/localplan>

⁸ See <http://www.havant.gov.uk/localplan>

Principle of development

The site lies outside of the urban area as defined by policies CS17 and AL2 of the adopted plan. It would remain outside of the settlement boundary as defined by policy E3 in the emerging Local Plan. The policies in the adopted and emerging local plans seek to restrict development in these locations, except in exceptional circumstances. It is not considered that any of the exceptions for housing would apply here.

Given that there are clear constraints to development, the site was not taken forward for housing through the Sustainability Appraisal process in line with the Council's [site allocation methodology](#).

Five year housing land supply and housing need

Paragraph 2.49 and Table 2 of the Pre-Submission Plan (pages 18-19) confirm there is sufficient housing land supply (10,231 homes) to meet the borough's total objectively assessed housing need (9,260 homes) between 2016 and 2036 and provide a buffer of 971 homes.

For completeness, the Council also published a [Five Year Supply Update](#) (January 2019). This confirms that the Council is able to demonstrate a five year housing land supply. The proposed development is not part of the Council's five year supply.

This information will be updated shortly given that we are now entering the 2019/20 financial year and so new figures for housing completions and outstanding planning permissions will be available in due course.

Concluding remarks

The site is not allocated in the Adopted Local Plan. It is also not proposed for allocation in the emerging Havant Borough Local Plan 2036. Nonetheless it is safeguarded for an alternative use in the form of a flood alleviation scheme.

As such, there is an objection to the application and the principle of residential development on the site.