

PLANNING APPLICATION RESPONSE OF PLANNING POLICY

Application No:	APP/18/00724
Site Address:	Land at Sinah Lane, Hayling Island
Development:	Erection of 195 No. dwellings, associated open space, pumping station, sub-station and formation of a new vehicular access off Sinah Lane. Change of use from agricultural to a Wader and Brent Geese Refuge area
Case Officer:	Daphney Haywood
Comments by:	Jade Ellis
Date of Comments:	24 July 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 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
- H29 | Land north of Sinah Lane

These comments follow the recent submission of revised details and should be read in conjunction with the policy response dated 15 August 2018. This latest set of comments reflect the fact that the Pre-Submission Draft HBLP 2036 was approved by Council and can now be afforded 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 H29 which can be afforded limited weight at this stage.

This Hayling Island Transport Assessment was published alongside the Pre-Submission HBLP 2036 and finds that development on Hayling (including the application site) would not lead to a cumulative severe impact on the transport network subject to suitable mitigation being provided. This is considered further below.

Whilst the adopted Local Plan resists the principle of development in this location, the emerging plan clearly supports the principle subject to more detailed transport work and other matters related to the quality of the development. 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. The statement also indicates the applicant is not proposing to meet a number of the requirements.

Transport:

The emerging Local Plan is supported by two Transport Assessments (TA) – one covering the Borough's mainland areas using the Sub-Regional Transport Model (SRTM) and one, more detailed, assessment covering Hayling Island and Langstone. As highlighted above, the site was included as a housing allocation in the Draft Local Plan with the disclaimer that any subsequent allocation would need to be informed by the latter study.

The Hayling Island TA assesses various mitigation scenarios through a Paramics Microsimulation model. It is the Council's intention to publish an addendum to the study which will further clarify the package(s) of mitigation measures needed to make the Local Plan development acceptable in planning terms. The publication of this would take place prior to the submission of the Local Plan to the Secretary of State, which is expected by Q4 this calendar year.

Brent Geese and Waders:

As you are aware, 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

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

plans and projects. In this respect, the applicant has submitted revised information to inform the Council's HRA.

Emerging policy E17 (Solent Wader and Brent Goose feeding and roosting sites) in the Pre-Submission HBLP 2036 indicates that development proposals at Land north of Sinah Lane (H29), 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.*

The submitted Planning Statement indicates that a mitigation area would be managed as grassland to provide a nutrient-rich food source for foraging geese, including the creation of six wader scrapes within the mitigation area to the north of the development. It is noted that a revised Winter Bird Mitigation Plan has been submitted with the revised set of details, and it is recommended that the Council's Ecologist is consulted accordingly. Whilst the proposals are in line with Policy E17, an HRA should be prepared and Natural England consulted on this.

Design and layout:

Policy E2 (Health and wellbeing) of the Pre-Submission Local Plan (previously E1 in the Draft Local Plan) requires development proposals to promote active and healthy lifestyles through good urban design through the provision of high quality pedestrian and cycle routes.

As previously highlighted, emerging Policy H29 in the Pre-Submission HBLP 2036 requires the design and layout to retain and enhance the Hayling Billy Trail for pedestrians and cyclists, and provide pedestrian and cycle routes through the site, and from the site onto the Hayling Billy Trail (see criteria f. parts v. and vi. respectively). The revised site layout now shows the provision of a path adjacent to plots 83 and 87 to provide pedestrian and cyclist access to and from the development, as well as additional pedestrian and cycle connections throughout the site.

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 net developable area of 4.77ha (excluding the refuge), the development proposals would provide a density of 41 dph. This could be potentially enhanced depending on whether the open space has been included in the applicant's calculation of the net developable area.

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).

The revised Affordable Housing Statement indicates that a total of 58 units, of which 41 would be affordable rent, and 17 as shared ownership which would equate to 29.7% of the overall housing site. It is recommended that an off-site affordable housing contribution should be sought for the balance (0.3%).

It was also previously highlighted that one additional shared ownership unit should be provided to make the balance for the 10% affordable home ownership product³. However, the revised mix proposes only 17 shared ownership units (a reduction of 1 unit) which means that shared provision should only make up 8.7% of the overall dwellings.

Policy H2 indicates that affordable housing should be evenly spread across the site, and indistinguishable from the rest of the development. The submitted Affordable Housing Plan indicates there would be a cluster of social rented units focused around the orchard public open space within the centre of the site, as well as a mixture of affordable rented and shared ownership units in the south western corner of the site. As such, it is recommended that the applicant re-consider the distribution of affordable units within the development.

The Council's Housing Officer will be able to offer further advice in terms of the overall tenure and mix of affordable housing that should be provided.

Housing Mix:

Emerging policy H2 of the Pre-Submission Local Plan requires development proposals to provide a range of dwelling types and sizes to meet identified local housing need, incorporating 35% as two-bedroom homes as part of the overall housing mix (both market and affordable).

The submitted revised market housing mix indicates the applicant has further increased the proportion of four-bedroom properties from 15% to 19%, but reduced the number of two-bedroom properties from 23% to 21%. Whilst it is recognised that there is currently an imbalance of three-bed properties on Hayling Island (existing stock is 33% vs 45.2% OAN)⁴, the proportion of three-bed properties proposed would far exceed locally assessed need. The development should incorporate a range of dwelling types and sizes. As such, it is recommended that the proportion of three-bed and four-bed properties to better reflect the mix of affordable provision.

In terms of the affordable housing mix, the applicant has submitted a housing mix of 69% two-bedroom properties, and 31% three-bedroom properties. The significant proportion of two-bedroom properties is supported, recognising one-bedroom properties are quickly outgrown. However, given that there are no four-bedroom properties proposed, it is recommended that the applicant consider the incorporation of 3 bed 6-person dwellings, in line with the nationally described space standards (see paragraph 6.29 of the Pre-Submission Draft Local Plan).

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) (previously E2 in the Draft Local Plan).

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. Based on the proposed housing mix and the standards in the Pre-Submission Local Plan (see table under paragraph 5.87), the development would generate a population of 466 people and would generate the following requirements:

³ Paragraph 64 of the National Planning Policy Framework (2019)

⁴ Figure 3 in [Specialist Housing Analysis \(January 2019\)](#)

Based on a standard of 15 sq. m per person for public open space, the development would generate a requirement of 6,990 sq. m or 0.699 ha. For allotments, based on a standard of 2 sq. m per person, the development would generate a requirement of 932 sq. m or 0.092ha.

Public Open Space: 466 x 15 sq. m = 6,990 or 0.69 ha

Allotments: 466 x 2 sq. = 932 sq. m or 0.092ha

The submitted Landscape Plans do not provide a quantitative assessment of the open space provision. As such, it is not possible to conclude whether the proposed development complies with the requirements of the emerging policy. 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.

The on-site open space would include an orchard for community growing provisions. However, as previously emphasised, the [Open Space Strategy \(November 2018\)](#) indicates that there is a shortfall of 13 ha in the supply of allotments, which will increase to 15 ha by 2036 with the projected increase in population in the Borough. It is also a key recommendation of the that access to allotments on Hayling Island should be improved, with little provision in this part of the borough apart from Gable End.

As such, we would reaffirm the view that the community food growing provisions should be provided in the form of allotments as opposed to the orchard. This could be provided in the north east corner of the site.

Development Requirements:

The full set of developer considerations can be found in the emerging allocation policy; please see Policy H29 in the Pre-Submission Draft Local Plan. The applicant should ensure these are satisfactorily addressed through assessments of these site issues.

In addition to the above, emerging policies which are of particular relevance to the proposed development are summarised below:

- **Internal Space Standards** - Emerging Policy H1 includes a requirement for dwellings to meet the nationally described internal space standards.
- **Private Amenity Space** – Policy H1 also requires sufficient private and/or communal outdoor amenity space to be provided.
- **Low Carbon Design** – Residential development is expected to achieve a 19% reduction in Dwelling Emission Rate in accordance with emerging Policy E12.
- **EV Charging Infrastructure** – Electric Vehicle charging infrastructure should be provided for each new residential unit with private off-street parking in line with emerging IN3.
- **Management Plans** – 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 in line with Policy IN5.
- **Community Officers** – Policy DR2 requires a contribution towards a community officer to help new residents in the development integrate into existing communities.
- **Skills and Employment** – Policy DR2 also requires a financial contribution towards on-site training and jobs for local people or a site-specific Skills and Employment Plan to be secured through S106.

The issues in the bulleted list above are not addressed within the submitted Compliance Check in relation to this scheme. It is essential that relevant information is provided on the level of compliance for the Council to properly consider the planning balance. For example, it is quite possible that a proportion of the proposed homes do meet the nationally described space standard. A Compliance Check is not the place for the applicant to highlight concerns regarding the validity of the policy.

The applicant's Compliance Check indicates that they are not proposing to meet the nationally described space standards (emerging Policy H1) of the 19% reduction in Dwelling Emission Rate (emerging Policy E12). However, as an unallocated site in the Adopted Local Plan but emerging site allocation, we would expect the scheme to demonstrate how it is meeting the new requirements and standards in the new Local Plan. Notwithstanding the outstanding transport matters, this is likely to be necessary to provide justification for the grant of any planning permission in advance of the adoption of the new Local Plan.

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.

The revised Design and Access Statement indicates that a total of 445 parking spaces for general housing would be provided, with 406 spaces for residents, 39 spaces for visitors. However, based on the standards in the Parking SPD, the proposed development would generate the need for a minimum of 416 spaces, of which 83 spaces (20%) should be provided as unallocated visitors parking. In this respect, note 1 indicates that:

"In larger developments with no allocation of spaces, a lower visitor space allowance may be acceptable provided it can be shown that sufficient resident cars will likely be absent when visiting takes place."

Appropriate justification from the applicant should be provided for the lower number of visitor spaces accordingly. It is recommended that the Council's Highway Engineer is consulted accordingly, with regard to the overall requirements, and the overall design and layout.

The cycle parking/storage provision can be found in Table 4D of the SPD. The Planning Statement indicates that for every house provided with a garage, the dimensions would be at least 3m x 6m (internal) to accommodate the cycle parking requirements. All other houses would be provided with a secure shed within the rear garden of the property. In this respect, it should be noted that 2 spaces per unit should be provided for all units with 2 Beds or more, and short-term visitor cycle parking will be expected at 20% of these standards.

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. Whilst the Hayling TA finds that development on Hayling (including the application site) would not lead to a cumulative severe impact on the transport network scenarios through a Paramics Microsimulation model. It is the Council's intention to publish an addendum to the study which will further clarify the package(s) of mitigation measures needed to make the Local Plan development acceptable in planning terms. As such, it is recommended that further engagement takes place with the local planning authority and Hampshire County Council with regard to any mitigation measures.

Whilst it is noted the submitted plans and details have been revised to respond to the previous consultation responses, there remain fairly significant shortcomings against the emerging Local Plan requirements. Furthermore, compliance with the emerging Local Plan is likely to be required to justify a deviation from the Adopted Local Plan. It is recommended that the applicant look to resolve these in parallel with the discussions that are needed with the local highway authority.