Havant BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263

www.havant.gov.uk

Mr Rick Carter
PLC Architects
25/26 Hampshire Terrace
Portsmouth
PO1 2QF

Our Ref: GEN/18/01019
Direct Line: (023) 9244 6546
Ask For: Mrs R McMurray
Email: planning.development@havant.gov.uk

15 November 2018

Site Location: Manor Road Nurseries, Manor Road, Hayling Island PO11 0QL
Re: Construction of 10 new dwellings

Dear Mr Carter

I am writing to you in regard to your enquiry in relation to the above address. Please find my full response below.

In my view, the main planning considerations relative to the developement proposal include:

i. Policy status
ii. Principle of development
iii. The emerging allocation
iv. Site layout
v. Ecology
vi. Housing density
vii. Affordable housing and housing mix
viii.High quality, new homes
ix. Low carbon design
x. Contaimination
xi. Higways and Parking
xii. Community Infrastrure Levy and s106

i. Policy Status

The Adopted Local Plan:

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. In addition, the Local Plan Housing Statement (LPHS), adopted December 2016, and its guiding principles is also a material consideration.

The following policies and documents are of particular relevance:

- CS1 Health and Wellbeing
- CS9 Housing
- CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough
- CS16 High Quality Design
- CS17 Concentration and Distribution of Development within the Urban Areas;
- CS21 Developer Requirements;
- DM8 Conservation, Protection and Enhancement of Existing Natural Features;
- DM11 Planning for More Sustainable Travel;
- DM13 Car and Cycle Parking on Residential Development;
- DM24 Recreational Disturbance to Special Protected Areas (SPAs) from Residential

Development;
- AL2 Urban Area Boundaries and Undeveloped Gaps between Settlements;
- Guiding Principle 4 of the LPHS;
- Havant Borough Council Housing SPD (July 2011), and;
- Havant Borough Council Parking SPD (July 2016).

Havant Borough Local Plan 2036

The Council is preparing a new Local Plan and consulted on a Draft (Regulation 18) version of the Havant Borough Local Plan 2036 (HBLP 2036) between 8 January to 16 February 2018. Whilst the Plan has limited weight in decision-making at this stage in the plan preparation, the Draft Local Plan and particularly the emerging site allocation at Manor Nurseries (Policy H33) is of relevance in setting out the Council's direction of travel.

Members informally considered the Consultation Summary Report setting out a summary of responses to the Local Plan consultation and the proposed changes to the policies moving forward. A summary of the comments received for Policy H33, along with Council's proposed actions and amendments, can be found on page 181 of the report.

The next key stage will be to consult on a Pre-Submission (Regulation 19) Local Plan. It is envisaged that the Pre-Submission Local Plan will be subject to public consultation from February to mid-March 2019. At this stage, greater weight may be given to the plan in decision-taking. It is likely the following emerging policies will have some weight at determination of this application. The development proposals will therefore be expected to follow the emerging policy requirements in the Draft Local Plan including:

- IN1 | Effective Provision of Infrastructure
- IN3 | Transport and Parking in New Development
- IN4 | Future Management and Management Plans
- E1 | Health and Wellbeing
- E6 | High Quality Design
- E7 | High Quality New Homes – including space and accessibility standards
- E8 | Low Carbon Design
- E10 | Landscape and Townscape
- E13 | Drainage Infrastructure in New Development
- E15 | Ecological Conservation
- E16 | Solent Special Protection Area
- E17 | Brent Goose and Wader Feeding and Roosting Sites
- E18 | Protected Species
- H1 | Housing need, supply and brownfield sites
- H2 | Affordable Housing
- H3 | Housing Mix and Density
- H33 | Manor Nurseries

Members informally considered the Consultation Summary Report setting out a summary of responses to the Local Plan consultation and the proposed changes to the policies moving forward. A summary of the comments received for Policy H33, along with Council's proposed actions and amendments, can be found on page 181 of the report (page 185 of the PDF).

ii. Principle of Development

The site lies outside of the urban area as defined by policies CS17 and AL2 in the context of the adopted local 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 major scheme on greenfield land.

Nevertheless, the Council is in the process of reviewing its Local Plan. The first step of this review was the adoption of the Local Plan Housing Statement (LPHS) in December 2016. Guiding Principle 4 of the LPHS identifies housing development sites on Hayling Island. This is because of strategic infrastructure issues highlighted by stakeholders during the

consultation. It states:

"Development proposals on any sites not in the urban area (as identified by Policies CS17 and AL2) and not identified in Table 2 of the Local Plan Housing Statement will be resisted. This is due to the presence of site constraints which mean the adverse impacts of development would significantly and demonstrably outweigh the benefits when assessed against the National Planning Policy Framework as a whole."

The comprehensive draft Infrastructure Delivery Plan which informed the Draft Local Plan has subsequently identified deliverable solutions for different types of infrastructure, with the notable exception of transport where evidence is still outstanding.

Notwithstanding the above, Guiding Principle 4 of the LPHS is also clear that:

"Development proposals on any sites not in the urban area (as identified by Policies CS17 and AL2) and not identified in Table 2 of the Local Plan Housing Statement will be resisted…..If *any such proposals are submitted as a planning application they should be accompanied by an Infrastructure Delivery Statement (in accordance with the requirements of the LPA) to demonstrate how the impact of the development would be completely mitigated.*"

A template/guidance for a Site Specific Infrastructure Delivery Statement, along with a list of infrastructure and service providers can be found on the Council's website.

iii. The emerging allocation

The site is proposed as an allocation under Policy H33 in the Draft HBLP 2036, nonetheless, a disclaimer to the policy states that it is *"a starting point for any subsequent site allocation included in the Pre-Submission Local Plan. It will be updated as necessary to reflect the findings of the (Hayling Island Transport Assessment)".*

The Council has also published its analysis of the consultation on the Draft Local Plan. In relation to this proposed allocation, the report states *"there remains uncertainty as to whether strategic infrastructure issues may be an overriding constraint to sustainable development on Hayling Island and the Langstone area at this stage. No site-specific matters have been raised which indicate that the site is not deliverable or should not be allocated in the HBLP 2036. The policy as proposed in the regulation 18 draft should proceed, with minor wording changes, and revisions to reflect and incorporate the recommendations from the transport analyses."*

The Council is preparing the Hayling Island Highway and Transport Infrastructure Assessment (hereafter referred to as the Hayling Island Transport Assessment). This will inform the Pre-Submission Local Plan and enable the Council to undertake a full Sustainability Appraisal of the site. As such, this response also highlights details contained in the HBLP 2036 where the proposal currently does not comply or justify its approach to allow the applicant to amend the proposals as necessary.

The principle of development is not supported by currently adopted policy, although this could change in the future through the preparation of the HBLP 2036. However, at this stage in the plan's preparation, there is not the necessary certainty that the site is suitable for housing nor that strategic infrastructure issues are not an overriding constraint to sustainable development. On this basis, there is the policy objection in the context of Policies CS17 and AL2 of the Adopted Local Plan and Guiding Principle 4 (GP4) of the LPHS.

iv. Site Layout

The site comprises detached, semi-detached and terraced properties all servied by a 4.5m wide access leading from Manor Road. It is noted that the rear garden depths are approximatley 10m and the back to back distances at 20m which accord with the advice laid out in the Council's Design Guide for new residential development 2011. The indiciative design includes a traditonal design approach utilising materials which are common to the local

vernacular.

v. Ecology

The site is adjacent to a Primary Support Area for Solent Waders and Brent Geese under emerging policy E17 of the Draft Local Plan, and within the forthcoming Brent Goose and Wader Strategy. The Solent's Special Protection Areas are designated in part due to the assemblages of Brent Geese. As such, a project level Habitat Regulations Assessment (HRA) will need to be carried out 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.

Emerging policy E17 indicates that for **indirect effects:**

"j. Appropriate mitigation will be required where new development or change to access and management has the potential to adversely impact the function of the Brent Goose and wader network.

k. The amount and kind of mitigation will be determined by the importance of the Brent Goose and Wader site within the overall network and how the indirect effects could impact (on) the function of the site.

l. Avoidance measures should be considered before moving on to mitigation. The package of avoidance and mitigation measures should be discussed with the Council and Natural England during the pre-application process and embedded into the development proposals at an early stage."

Paragraph 5.233 of the supporting indicates that mitigation could include a range of access management measures such as fencing, signage and interpretation. Consideration could be given to improving the management of the site or, if this is not possible, improved management of an alternative site within the network. The Council's Ecologist will be able to provide further on this matter, but the applicant is also advised to engage with Natural England's Discretionary Advice Service in respect of the mitigation which is likely to be required.

vi. Housing Density

Emerging Policy H3 in the Draft HBLP 2036 indicates that development proposals should secure a net density of at least 35 dwellings per hectare. More recently, the NPPF has confirmed that local planning authorities should support development that makes optimal use of each site and refuse applications which they consider fail to make efficient use of land.

The proposals would provide a slightly reduced quantum of development than envisaged by Draft Local Plan, but the site boundary in the Draft Local Plan includes Manor Oaks (0.38ha). Nevertheless, based on a site area of 0.3ha excluding the existing residential property 'Manor Oaks' fronting onto Manor Road, the proposed development would equate to about 30 dwellings per hectare. The site-specific constraints and local character may justify a different approach having regard to the context of the site – but in these circumstances, a detailed Design and Access Statement must fully explain the rationale to the proposed approach to the overall design and layout of the scheme.

vii. Affordable Housing and Housing Mix

Policy CS9 of the Core Strategy indicates that a 30% affordable housing requirement will apply, unless a lesser requirement is transparently justified on viability grounds. Guidance should be sought from the Council's Housing Officer regarding the current tenure and mix required for the affordable housing element of the site.

Emerging Policy H3 of the Draft Local Plan indicates that 35% of the overall housing mix to be provided as 2-bedroom homes. In this respect, it is noted that all 10 dwellings would be

provided as three bedrooms. On this basis, it is questionable whether the proposals would also a range of dwelling types and sizes to meet locally identified need. In addition to including an appropriate proportion of 2-bed homes, the applicant is advised to consult Figures 3 and 4 of the Council's Specialist Housing Paper in terms of locally identified need.

viii. High Quality New Homes

Policy E7 of the Draft Local Plan identifies that the Borough is promoting housing that meets the future needs of residents. The development should be aware that at least stage, it is expected that *at least* 30% of dwellings on the site will meet standard M4(2) of the building regulations 2015, with 2% meeting standard M4(3).

The submitted elevations and floorplans indicate that the proposed 3-bedroom homes are designed to meet the nationally described space standards for 4 and 5 persons – this is welcomed.

ix. Low Carbon Design

Emerging Policy E8 sets out how the Council expects new development to address climate change through local carbon design. Proposals will be granted where they achieve reductions in CO2 emissions of 19% of the Dwelling Emission Rate compared to the Target Emission Rate of Part L of the Building Regulations. This is the equivalent to the requirements of Level 4 of the withdrawn Code for Sustainable Homes.

The emerging policy also indicates that the Council will encourage the independent certification against the Home Quality Mark (HQM). This certification offers a holistic and flexible means through which individual dwellings can be measured, improved and showcased. Moreover, the HQM provides a five-star rating with key indicators which communicate the performance of a new home's design, construction, and use potential.

The framework assesses water and energy use (embodied and when occupied), internal comfort and health (air quality, daylighting, noise and access to green space and amenity), resilience and safety (flood risk, fast and secure internet, adaptability) in addition to the home occupier experience (aftercare, handover procedures and the provision of home information). It enables applicants to demonstrate the quality of their homes to a range of stakeholder; building confidence in the quality of the completed new homes and helps highlight the benefits of new housing to prospective home buyers and tenants.

x. Contamination

Given the previous use of the site and fuel storage is likely, the emerging site allocation indicates that Contaminated Land Investigation Report should be submitted as part of any planning application. The Council's Environmental Health Team will be able to provide further advice on this matter.

xi. Highways and Parking

The Council's Highways Engineer has been consulted and has advised that the existing access in not suitable for more than 5 units. For more than 5no. units, access to the site will require a standard Highway Authority (HA) radius kerb junction onto Manor Road with sight lines commensurate with the measured speed of vehicles on Manor Road.

The HA requires that where more than one dwelling is served by a single point of access, then provision should be made within the site boundary for turning provision so that vehicles can enter and leave the highway in a forward gear. This should include consideration of small delivery vehicles where it is necessary for this type of vehicles to enter the development.

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 cycle parking/storage provision can be

found in Table 4D of the SPD.

It is expected for each new home with private off-street parking to provide an Electric Vehicle charging point in line with emerging Policy IN3 in the Draft Local Plan.

xii. Community Infrastructure Levy and S106

The proposed development is CIL liable. CIL rates are set out in the Council's adopted Charging Schedule:
http://www.havant.gov.uk/planning-and-environment/planning-policy/community-infrastructure-levy

Developer contributions will be required in accordance with Policy DM24 Recreational Disturbance and the Solent Recreation Mitigation Strategy to Special Protected Areas (SPAs) from Residential Development.

S106 developer contributions may be required in respect of site specific mitigation including off-site highway improvements.

Summary

In the absence of the necessary certainty that the site is suitable for housing and that strategic infrastructure issues are not an overriding constraint to sustainable development, there would remain a policy objection in the context of the Adopted Local Plan and Guiding Principle 4 (GP4) of the LPHS. Nevertheless, the applicant is advised to await the publication of the Pre-Submission Havant Borough Local Plan 2036 which will be informed by the Hayling Island Transport Assessment.

I trust this has responded to your enquiry in full however if you have any further queries please do not hesitate to contact me.

Please note that the above comments are the opinion of individual Planning Officers and are in no way binding upon the Council when determining any future applicatiions for planning permission and nor will they prejudice the outcome of any applications submitted.

This advice also only relates to planning matters, and does not relate to any other application that may be required under Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 02392 446571

Yours sincerely

Mrs R McMurray
Planner
Our Ref: GEN/18/01019