

Application No:	APP/18/00450
Address:	Forty Acre Farm, Havant
Development:	Development of 40 Acre Farm for 320 dwellings and 66 bed care home.
Case Officer:	Lewis Oliver
Comments by:	Simon Kennedy
Date of Comments:	13/06/2018

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.

Also relevant is the Local Plan Housing Statement, a policy statement adopted by the Borough Council on 7 December 2016, which is a material consideration in determining planning applications. All the above documents are available at <https://www.havant.gov.uk/localplan>

The following policies and documents are of particular relevance:

- CS9 Housing
- CS15 Flood and Coastal Erosion Risk
- CS16 High Quality Design
- CS17 Concentration and Distribution of Development within the Urban Areas
- CS21 Developer Requirements
- DM6 Coordination of Development
- DM7 Elderly and Specialist Housing Provision
- DM8 Conservation, Protection and Enhancement of Existing Natural Features
- DM10 Pollution
- DM13 Car and Cycle Parking on Residential Development
- DM18 Protecting New Development from Pollution
- DM23 Sites for Brent Geese and Waders
- DM24 Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development.
- AL2 Urban Area Boundaries and Undeveloped Gaps between Settlements
- Havant Borough Council Parking SPD (July 2016)

Draft Local Plan 2036

The Council is also 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 policy at Forty Acres (Policy H15) is of relevance in setting out the Council's direction of travel.

In this case, emerging Policy E17 (Brent Goose and Wader Feeding and Roosting Sites) is also of relevance in terms of setting out the Council's proposed approach to the implementation of the forthcoming Brent Goose and Wader Strategy.

Members have also recently informally considered a report setting out a summary of the responses to the consultation on the Local Plan and the proposed changes. A copy of this report, alongside a copy of the raw representations including comments from statutory consultees will be available at: www.havant.gov.uk/localplan.

Principle of Development:

This site has been considered through the 2016 SHLAA process and concluded to be developable. As such the site is considered free of constraints that cannot be mitigated, is available for development, and sustainable development could be achieved on the site.

Whilst development on this site would be contrary to Policies CS17 and AL2 which indicate that residential development should be resisted, the Local Plan Housing Statement indicates that the principle of development on the site will be considered favourably in order to contribute towards the objectively assessed housing need and to significantly boost housing supply in the Borough. The Draft Local Plan also reaffirms the site as a proposed housing allocation under policy H15 as a mixed-use development comprising about 300 dwellings, a convenience store and allotments.

Emerging Policy H15

Though the application proposals would provide slightly more than the quantum of development proposed by the emerging allocation, the policy is worded in such a way to provide flexibility to enable a scheme of slightly more or less number of dwellings to come forward depending on exact design and layout of the submitted scheme. The submitted Landscape Masterplan also indicates that the public open space provision would include allotments alongside a small community orchard.

In terms of a convenience store, the applicant submitted representations to the Draft Local Plan (Regulation 18) consultation detailing the convenience operators within this sector which have rejected the site including their reasons for doing so. Furthermore, it is noted that a scheme of this scale would not be sufficient to support a convenience store in its own right. Whilst it is accepted that the Draft Local Plan can only be attributed limited weight at this stage in the plan preparation, it does provide an indication of the Council's direction of travel. However, in this case, the relevant table within the consultation summary report (pages 143-147) indicates that the Council's intention is to remove the requirement for a convenience store within the emerging site allocation policy. The summary of representations made with regard to 40 Acres is appended at the end of this document.

The site is however identified as a site as being suitable for early release by Guiding Principle 4 and Table 2 of the LPHS. The Council will therefore consider the principle of residential development on the site favourably in advance of the Havant Borough Local Plan 2036 being adopted. This is subject to the proposals complying with the remainder of the policies in the Adopted Local Plan and an Infrastructure Delivery Statement (meeting the requirements of the LPA) demonstrating how the impact of the development would be completely mitigated to the satisfaction of the Local Planning Authority.

This is considered in detail below.

Infrastructure Delivery Statement

The Infrastructure Delivery Statement provided as part of the application follows the template approach suggested by the Council.

In terms of healthcare, there is no evidence that the applicant has engaged with the South-East Hampshire Clinical Commission to fully assess the availability of GP surgeries. This is of relevance given that the provision of a 66-bed care home on the site may result in a higher demand for primary care and the acute healthcare needs of its prospective residents.

Hampshire Highways and Highways England should be consulted on the proposed highways improvements needed to secure safe access to Bidbury School.

Efficient Use of Land

Policy CS9 of the Core Strategy indicates that housing proposals should achieve a suitable density of development for the location. As set out above, though the application proposals propose a slightly greater quantum of development than the Draft Local Plan, the submitted Planning Statement indicates the proposed development equates to 41 dwellings per hectare (see paragraph 5.51). Taking the site's constraints into account, the application proposals would therefore make an efficient use of land.

Housing Mix

The overall amount of affordable housing proposed is in conformity with policy CS9. Guidance should be sought from the Council's Housing Officer with regard to the current tenure and mix required for the affordable housing element of the site.

Policy H3 of the Draft Local Plan is based on the most up to date evidence with regard to housing mix requirements. It is noted and supported that the proposed housing mix is in conformity with Draft Policy H3.

Heritage

Part of the southernmost building is identified as a Building of Local Interest which is identified as 'Flint Cottage' within the submitted Planning Statement (paragraphs 5.68-5.69). The application shows that this building will not be retained. The Planning Statement makes a limited assessment of the non-designated assets' significance. Guidance should therefore be sought from the Council's Conservation Officer with regard to the loss of this building within the context of sustainable development.

Ecology

The eastern part of the site is identified as a secondary site for Solent Waders and Brent Geese¹, whilst the western part of the site is identified as a low use site for Solent Waders and Brent Geese under emerging policy E17 of the Draft Local Plan, and within the forthcoming Brent Goose and Wader Strategy. As such, the application proposals must be assessed and subject to the tests of the Habitat Regulations in order to determine the levels of impact, alone and in combination with other plans and projects.

The submitted Planning Statement indicates that a mitigation area would be established with suitable improved grassland to provide an optimal food source for Brent geese, as well as the creation of wader scrapes within the public open space to the south of the development. It is noted that a Winter Bird Mitigation Strategy has been submitted in support of the application, and it is recommended that the Council's Ecologist is consulted accordingly.

Flooding

The southern part of the site is identified as being situated within Flood Zones 2 and 3, and it is also noted that the water table on site is tidally influenced. Evidence of a hydraulically modelled surface water drainage strategy has been provided as part of the application. Guidance should therefore be sought from the Local Lead Flood Authority as to the acceptability of the submitted scheme.

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

Pollution

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.

The effect of noise from the A3023 and A27/M27 has been considered in the noise report submitted by the applicant. The Council's Environmental Health Team should provide guidance on the acceptability of the mitigation measures proposed.

Specialist Housing

The proposed 66 bed care home is noted, and the principle of this particular element of the scheme is supported in meeting this particular housing need.

High Quality Design

Although some information has been submitted with regard to a levels strategy for the scheme, more contextual information should be provided in order to assess the impact of the change of levels on adjoining residential properties. Policy CS16 also includes a requirement for safe and convenient access for all, it is unclear from the submitted documents how the kerb details and hard surfacing elements of the scheme will be constructed to meet this requirement.

Additionally, Policy E7 of the Draft Local Plan identifies that the borough is promoting housing that meets the future needs of residents. The developer should be encouraged to confirm that 30% of dwellings on the site will meet standard M4(2) of the building regulations 2015, with 2% meeting standard M4(3)

Parking

An assessment of parking provision should be made against the Council's Parking SPD for both residential development (Class C3) and the care home (Class C2), including the requirements for visitors' parking.

Developer Contributions

Havant Borough Council has an adopted CIL Charging Schedule which is applied to new residential development in the Borough in addition to the requirements of Policy CS21. The Solent Recreation Mitigation Strategy (SRMS) contribution will also be payable in accordance with Policy DM24.

The application also indicates a need for contributions to be secured through a Section 106 agreement for highway improvements in order to secure safe access to Bidbury Infant and Junior Schools.

Recommendation

In the context of the LPHS, the principle of residential development on the site would be considered favourably subject to the applicant carrying out additional work to inform the Site-Specific Infrastructure Delivery Statement, to include engagement with the South East Clinical Commissioning Group to confirm the availability of GP practices in the local area. In addition to the above, there are a number of site considerations which would need to be addressed to the satisfaction of the relevant consultees.

H15 - Forty Acres

29 responses were received regarding this topic

Summary of key comments raised by residents and other stakeholders

A petition with 3,458 signatories with the following covering letter: "Full infrastructure review in area of 40 Acre Farm prior to planning submissions. We the undersigned feel strongly that Any planning permission on 40 Acre farm should be halted until the Local Plan 2036 submission to Government That the development process should be halted until a full site and surrounding infrastructure review ,with all applicable bodies, be carried out in line with Schedule 4 of T&C planning That all development should be halted until the publication of the NSSMP Priority Action No.2 & No.3 with regards to the site being identified as High suitability for Brent geese and Waders in a previous Havant Council survey. That all development consultations be halted until the developers claims of school catchment areas have been verified and safe access to catchment schools for children on foot assured. That full post-construction costings of maintenance, health and Safety issues of the proposed SuDS are identified, analysed and reported. That any other points brought up during public consultations or private correspondence be minuted and made available for public discussion prior to any planning decision being made."

Support for housing development on the site.

Transport:

- High speed traffic would need to be discouraged on Havant Road and two or three central reservations should be provided to ensure safe crossing / traffic lights should be provided to aid safe crossing
- More speed limit signage is needed / speed limit should be reduced
- The A2030 is already unmanageable in the morning and evenings in relation to the Rusty Cutter roundabout
- Alterations to the Rusty Cutter roundabout will cost millions; is this financially viable?
- Trying to cross the Rusty Cutter roundabout by foot or cycle is already dangerous
- A pedestrian/cycle link underneath the A3(M) would link the development to Bedhampton station
- If left turn only out of the development this will create a rat run situation on local roads as cars attempt to return eastbound. A right turn option will be dangerous or increase congestion
- Concern over access design

Other infrastructure:

- Patients can not get appointments at local doctor surgeries. Drayton Surgery no longer accepts patients from Bedhampton.
- The high number of houses proposed in the area will increase pressure on local schools which are already full
- School runs will take more time and adversely impact working parents
- There is no safe way for children to be able to walk to school
- The proposal for Morelands school to be the assigned school for the area is massively concerning for someone considering a family - the walk over the hill to access this is over 50 minutes, it would necessitate a trip by car and completely goes against all of the national initiatives around walking your kids to school and reducing car journeys and pollutants to protect the environment.
- A new school should be required on the site
- Welcome the approach in the policy regarding education infrastructure. However supporting text should be updated to ensure complete consistency with the IDP, which states that Morelands School can expand to 3FE. The next version of the Local Plan should reflect the latest position agreed with Hampshire County Council.
- Queen Alexandra Hospital is already at breaking point
- The infrastructure associated with Forty Acre Farm needs to ensure the site is deliverable and any wider cumulative improvements should not restrict the delivery of the site. Contributions should be sought from surrounding developments to deliver the wider cumulative improvements
- This site is being pushed forward faster than it should and that more time be devoted to researching the infrastructure needs
- The need for Secondary School and College places has not been discussed
- Offsite water mains reinforcement will cause disruptions to local residents

Drainage:

- Flooding of the site is a concern
- Possible diversion of surface water into Westways should be addressed
- Proposed SuDS ponds in flood area 2 and 3 will be a breeding ground for mosquitoes - how would issues such as these be monitored and remedied?
- The sea water flood plain is designated as a "high level constraint" by the Environment Agency

- The area is a “flood risk area from surface water” - The fields currently act as a natural ‘sump’ absorbing surface water. With any development the ‘sump’ will disappear
- There is insufficient capacity within the foul sewage network to take the proposed discharge from the site
- In 1980 a planning application at Forty Acres Farm was refused by HBC, for a housing development, due to a sewage reason and unsatisfactory disposal of foul and surface water
- Any SuDS features must be outside of the flood zone to be effective

Ecology:

- Brent Geese are present on the proposed development site, the nature reserve area proposed by the railway line will not protect the geese.
- A new survey should be conducted using local residents and independent sources who have the time to monitor the site and report accurately. All development should be halted until the publication of the North Solent Shoreline Management Plan (NSSMP) Priority Action No.2 No.3 is completed
- Bats and deer are present on site. Any wildlife will be driven away by development
- A bat study was undertaken in 2016 showing four species of bat using hedgerows at the rear of Westways and within the site
- Brent Geese are not using the mitigation land next to the One Eight Zero Development, the mitigation proposed on the 40 Acre site is also unsuitable.
- HBC is working off an amber bird list which is 8 years out of date. During this time I have recorded 150 plus Brent Geese. Numbers and photographic evidence may be found on the Solent Birds web site.
- The evidence base is incorrect with regard to Brent Geese and waders. There are regularly 50+ birds feeding
- The nearby Farlington Marshes protected area may be impacted by development
- Figure 22. Map doesn't show Forty Acres as a Sites of Importance Nature Conservation (SINC) Hampshire Biodiversity Information Centre (HBIC) shows it as H04B & H04C

Health impacts arising from:

- Increased pollution and noise from more cars
- Lights from cars shining into bedroom windows due to raised ground level
- Higher ground level which will create higher building heights relative to surroundings, this will create less light for adjoining dwellings.
- Large dust clouds which may affect the quality of life of adjoining residents will result from construction works and re-grading.
- Pollution arising from the motorway and rail line affecting future residents of the development.

Further parking assessment should take place as distance to schools promotes car ownership and use - pedestrian access to Westways will make it easy for overspill parking to occur in Westways, particularly associated with the care home which does not have enough parking. Parking for a convenience store must be secured and appropriate.

The field is high quality agricultural land and no reference is made to this in the policy. Provision of allotments is not sufficient to offset the loss of agricultural land.

Tree screening proposed to the front of the development should be provided prior to any commencement to ensure this is established by the time building work is complete.

PUSH specifically states there should be separate identities between boroughs. The current gap between the two authority areas should remain. This gap is of particular importance as it is surrounded by commuting routes of A27, A2030 (Havant Rd), A3M, and the London to Portsmouth and South Coast Railway Line. Forty Acres is easily visible from all these transport routes by hundreds travelling each day. So according to PUSH it should be preserved.

No mention is made in the plan of consultation with Portsmouth County Council.

To lose the last remaining green space at the bottom of the hill is irresponsible - Housing need should be balanced against the need to protect green spaces. Forty Acres is a local green space.

The potential for the site to accommodate a convenience store has been investigated in depth, provision of a convenience store is not feasible and reference to this should be removed from the policy.

The land should be used for sport provision and to generate a better green environment rather than housing.

Three storey buildings do not fit in the street scene.

The play space being located next to the SuDS ponds is unsafe.

To develop this site contradicts Councillor David Guest, Cabinet lead for Planning and Place-Making with regards to "...continued protection of the high quality environment that makes Havant an attractive place to live and work and visit". Residents feel HBC lacks the conviction to stand up and protect the wellbeing and environment of its residents and is bowing to central government.

Trees with TPO's would need to be felled in order for the development to proceed. Are these trees healthy and just deemed a casualty in order for development to proceed.

The general area has many instances of Late Iron Age and Roman settlement, which would be disturbed and lost. As a local historian, this concerns me.

HBCs proposed way forward for Regulation 19 HBLP2036

No fundamental matters have been raised which indicate that the site is not deliverable or should not be allocated in the HBLP 2036. The council is satisfied that the evidence base supports an allocation. Proceed with policy as proposed in the regulation 18 draft, with wording amendments. In addition, consider whether the policy should be amended to:

- Provide greater certainty that safe access to local schools must be provided
- Include reference to the current agricultural use of the fields
- Remove the requirement for a convenience store
- Following further discussions with Hampshire County Council, children arising from the Forty Acres will feed-into Bidbury Infant and Junior Schools. This is subject to highway improvements to provide a safe and convenient route to the schools.

The following detailed matters are for consideration at planning application stage and are covered by policies in the Local Plan:

- Site specific impacts on the local road network (including parking) (IN3)
- Access (IN3)
- Future management (including SuDS) (IN4)
- Ecology (E15)
- Flood risk and drainage (E12 / E13)
- Residential amenity and pollution (E6 / E20)
- Archaeology (E9)
- Woodland, trees, hedgerows, TPOs (E15)
- Landscape and Townscape (E10)

The draft Infrastructure Delivery Plan (IDP) which was published alongside the regulation 18 draft of the Local Plan, identifies deliverable solutions for 30 different types of infrastructure with the notable exception of transport. The following matters raised are considered in detail through the draft IDP:

- **Transport** - Buses, walking and cycling
- **Green & Blue** - Open space and playing pitches, coast including flood risk management and defences, SUDS and other drainage systems, green routes including public rights of way and ecology including SPA
- **Social** including leisure (built sports facilities) and community centres
- **Health** - Primary care (GPs and health centres) and Acute care (hospitals)
- **Education** - Schools (primary and secondary)
- **Utilities** - Water supply, electricity, waste water and sewage disposal

Comments where no change is considered necessary:

Some of the comments made relate to the developer's proposals as presented in November 2017. These proposals may change, and will be considered against the relevant policies when an application is made.

The part of the site where housing development is proposed is located within Flood Zone 1, an area with less than 1 in 1000 year annual probability of sea or river flooding. Concerns raised in relation to flooding in this area are likely to be in relation to surface water flooding due to ground conditions and location. As above, an appropriate drainage strategy as part of any proposed development would be secured in accordance with the requirements of policy E12. A part of

the southern area of the site is in flood zones 2 and 3. Any development vulnerable to flooding would be required to be located in flood zone 1.

When considering which greenfield sites are suitable for allocation, the council has sought to prioritise sites of a lower agricultural quality. However, the available evidence is that the majority of land in the borough is of the best and most versatile quality (BMV). Therefore, the allocation of housing sites on BMV is unavoidable if the borough is to meet its housing need. In order offset the loss of BMV, the policy identifies a need for the development to include community growing provisions such as allotments as part of the open space provision.

Although Hampshire Biodiversity Information Centre list the site as a SINC, this is incorrect. A SINC is a local designation and can only be applied by the Local Planning Authority. The site is likely to be termed a SINC by the Hampshire Biodiversity Information Centre due to its use by Solent waders and Brent Geese. This is highlighted in the Draft Local Plan through Policy E17. As such, appropriate protection of these species is already provided without the need for a SINC designation.

The proposed development is in line with the latest data regarding the Solent Waders and Brent Goose network, which has been put together in consultation with Natural England. As such, matters relating to NSSMP Priority Actions No.2 and No.3 are not applicable in this instance. The Eastern Solent Coastal Partnership are a partnership, including Havant Borough Council. The findings of the study will inform the future approach to coastal development and coastal defences in the Local Plan.

This Policy seeks to maintain the high-quality environment of Havant by effectively managing future development.

The PUSH Spatial Position Statement supports strategic countryside gaps, but it is not considered that any gaps of 'sub-regional significance', nor of 'fundamental local importance' exist in the Borough, which would outweigh the need for housing.

It is acknowledged that undeveloped gaps were protected by policies in the adopted Local Plan. However, in the new HBLP2036 it is no longer possible to continue this protection, as there are not enough brownfield sites and sites within the existing urban area to meet the Borough's housing need. Therefore, greenfield sites outside of the existing urban area have had to be considered for development. Figure 18 draws the settlement boundaries around existing developed areas, and the proposed allocations in the draft HBLP2036, and E10 seeks to manage development outside of these areas (windfall sites).