

PLANNING APPLICATION RESPONSE OF PLANNING POLICY

Application No:	APP/21/01010
Site Address:	Land east of, St Georges Avenue, Havant
Development:	Erection of 184 No. dwellings, (no. of dwellings reduced from 194) means of access, public open space, play areas, associated infrastructure and landscaping
Case Officer:	Lewis Oliver
Comments by:	Jade Ellis
Date of Comments:	16 th May 2022

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.

Following the receipt of the Inspectors' Interim Findings, the Examination was concluded, and the Havant Borough Local Plan from Examination was formally withdrawn on the 16th March 2022.

The following development 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
- DM13 – Car and Cycle Parking in Residential Development (+SPD)
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

In addition, the Council has adopted a [Housing Delivery Position Statement](#). It does not form part of the development plan but is relevant to this application. Of particular relevance are Decision Making Principles 2 and 6. The former of which relates to the principle of development on this site, whilst the latter seeks to safeguard land in order to facilitate access arrangements to the Southleigh Strategic Site.

Principle of development

The site lies outside of the urban area as defined by policies CS17 and AL2 of the development 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.

However, Principle 2 of the Housing Delivery Position Statement also applies to this site. This principle concerns sites which are not in accordance with the Development Plan, but where the Council accepts the principle of development. Given the need to significantly boost housing supply in Havant Borough, the Statement gives support in principle to housing development on emerging site allocations that were proposed for allocation in the now withdrawn Havant Borough Local Plan. The application site is part of one such site (formerly subject to draft allocation H15 for 320 dwellings).

While the principle of development on this site is therefore accepted, this is subject to meeting a number of requirements. The development is

- Required to meet the remaining requirements of the Development Plan; and

- Expected to comply with the Decision Making Principles set out in the Housing Delivery Position Statement.

Compliance with the above criteria is considered necessary in order to justify a departure from the Development Plan. It is also noted that Phase 1 has planning permission and is under construction (reference APP/18/01033) which is material to the determination of this application.

Development Quality

Decision Making Principle 5 makes clear that Council expects development of high quality, and in order to be considered sustainable development, the criteria in this principle must be met. A checklist has been provided at <https://www.havant.gov.uk/housing-delivery-position-statement>, and the applicant should be encouraged to complete this to assist in the assessment of the acceptability of this application.

Nonetheless, it is noted that the applicant has addressed a number of the developer requirements that were included in the previous Local Plan as part of the submitted Planning Statement and these are summarised below.

Topic	Criterion from Decision Making Principle 5	Comment
Density	c) Provide a minimum of 40 dwellings per hectare based on a net developable area, or where relevant, an alternative density based on the site capacity set out in Table 1	The revised site capacity is consistent with the site capacity of 186 dwellings in Table 1 of the Position Statement.
Space Standards	g) Meet the nationally described space standards for new homes provided;	Paragraph 4.2 of the Planning Statement indicates that the proposed properties would exceed the minimum space standards. However, the accommodation schedule has been provided in square feet. The NDSS is in square metres and so a revised schedule will need to be provided.
EV Charging Points	f) Provide electric vehicle charging infrastructure for each new residential unit with private offstreet parking	It is noted that the applicant are expected to making provision of Electric Vehicle charging facilities available to each dwelling unit.
Amenity space	h) Provide outdoor private and/or communal amenity space for all residential units;	Whilst it is noted that a garden is provided for all of the houses, some of the communal amenity space around the apartments is limited. In such cases, it is recommended that the proportion of flats with balconies should be increased. In addition, justification should be provided to demonstrate that the outdoor amenity size of a sufficient and functional size to meet the needs of residents.
Low Carbon Design	i) Achieve a reduction in CO2 emissions of at least 19% of the Dwelling Emission Rate (DER) compared to the Target Emission Rate (TER) of Part L of the Building Regulations	The sustainability statement indicates a 'fabric first' approach to building design will be followed. However, it is unclear how much of an anticipated reduction there would be in terms of CO2 emissions.
Housing Mix	n) Provide a range of dwelling types and sizes to meet local housing need, including 35% of the overall housing mix as two bedroom homes unless	The revised accommodation indicates that 37% of the proposed market mix would be provided as two bedrooms. In terms of affordable housing, 54% would be provided

	locally identified need evidence indicates an alternative approach should be taken	as two bedrooms. The Council's Housing Manager will be able to provide further advice in terms of the type and tenure of mix proposed.
Open space provision	p) Provide high quality on-site open space to a standard of 1.5ha per 1,000 population; and an element of play where the open space requirement exceeds 0.5ha. On greenfield sites, part of this requirement will be provided in the form of community food growing space, to a standard of at least 0.2ha per 1,000 population	The proposal incorporates two key areas of open space totalling 0.534 with an additional linear stretch along the eastern boundary (0.13 ha). An area of play space is also included within the centre of the site. It is noted community food growing provision is also proposed within the central open space. The Council's Landscape Team will be able to offer further advice on the quality and quantity of provision.

In addition to these standards, while the Local Plan containing site allocation policy H15 has been withdrawn and therefore has not material weight, it nevertheless provides useful background regarding what would constitute sustainable development on this site, in particular through the list of opportunities and constraints.

Five Year Housing Land Year Supply:

The Council's [Five Year Housing Land Supply Update \(November 2021\)](#) indicates the Council has 3.9 years supply with a 20% buffer applied. This is below the five year supply threshold. This triggers a presumption in favour of sustainable development, in line with paragraph 11d of the NPPF. 164 of the total 186 dwellings are included within the Council's five year housing land supply, and so the early delivery of this site is necessary in order to sustain the current land supply position going forwards.

However, it must also be noted that paragraph 182 of the NPPF provides that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site (see ecology impacts below).

The Housing Delivery Position Statement explains further how the Council intends to apply the presumption, and is referenced in detail throughout these comments.

Design & Layout

The council has identified a Strategic Site to the north of the railway line, capable of providing around 2,100 homes (see Policy KP5 of the previous Local Plan). As part of the delivery package for that site, a direct access onto the A27 may be needed. Land is safeguarded for this purpose through Decision Making Principle 6 in the Housing Delivery Position Statement. The pink dashed line along the south east boundary on the Proposed Site Layout Drawing No. PLN-1-1101 shows a 50 metre assumed offset from the existing highway boundary for a widened embankment needed to facilitate the access. It is noted that a possible access point to a new spur road is also shown. The Council's Environmental Team will be able to comment in terms of noise impact.

Compared to the site layout presented at pre-application stage, it is noted that a connection is now provided to connect to the pedestrian and cycle link southwest of the site. This is welcomed.

Ecology

The site is identified under the adopted Local Plan as a Low Use site for Brent Geese and waders. Development proposals on, or adjacent to, sites which are used by Solent waders and/or Brent Geese need to be assessed in line with the appropriate regulations. This proposal will, therefore, require a project level Habitats Regulations Assessment (HRA) and, if necessary, an Appropriate Assessment (AA).

The Council will consider the Solent Waders and Brent Goose (SWBG) Strategy and the latest survey data when making such an assessment. For 'low use' sites, the SWBG Strategy Mitigation Guidance indicates that in the first instance, consideration should be given to on-site mitigation, off-setting and/or enhancement. Where this has been demonstrated to not be practical or feasible and impacts cannot be avoided or adequately mitigated on-site, off-site options and/or compensation funding should be considered. Compensation funding may include payment towards the management and enhancement of the SWBG network. It is noted that the applicant proposes to make a financial contribution on this basis. The Council's Ecologist will be able to provide further advice in terms of whether the applicant has demonstrated that on-site mitigation is not practical or feasible.

Minerals Safeguarding

[Policy 15 of the Hampshire Minerals and Waste Plan](#) seeks to prevent the needless sterilisation of Mineral Resource by other development. The policy and the associated [Minerals and Waste Safeguarding SPD](#) therefore define a Minerals Safeguarding Area (MSA) where prior extraction of minerals should be considered before development takes place. The Minerals and Waste Consultation Area (MWCA), is the area where LPAs are required to consult HCC. This site lies within the MSA/MWCA. HCC as Minerals and Waste Planning Authority should therefore be consulted so that they may consider the potential for prior extraction of minerals (see p.35 of the SPD).

It is however noted that the submitted Mineral Resource Assessment concludes that the quantity of sand and gravel on the site is too small to be of any commercial value and the minerals will be indirectly sterilised by the proposed residential development adjoining the site's western boundary.

Conclusion

The principle of development on this site is acceptable, subject to the proposal meeting the detailed requirements of the development plan and the Housing Delivery Position Statement, as well as the particular requirements of the Habitats Regulations. In particular, a conformity checklist would assist with assessing whether the proposals comply with the requirements of Decision Making Principle 5. This will assist in providing justification from departure from the development plan, whilst acknowledging the permission APP/18/01033 for Phase 1 is also a material consideration. Though the Planning Statement demonstrates that the proposal complies with a number of requirements, there is a need for further information for certain aspects.