

Response to Planning Policy Consultee Comments

Principle of Development

The Council's Five-Year Housing Land Supply Update (March 2023) confirms that the Council is unable to demonstrate that it has a 5 year housing land supply therefore the housing policies contained within the local plan are considered out of date and the presumption in favour of sustainable development is triggered in line with paragraph 11d of the NPPF.

Paragraph 11 of the NPPF states that: "Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 7 ; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Footnote 8 confirms that the presumption in favour of sustainable development includes situations where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74).

The comments provided by the Planning Policy department state:

'Paragraph 84 of the NPPF states that planning decisions should avoid the development of 'isolated homes' unless the circumstances set out within the national policy apply. In this case, it is understood that none of them would apply.'

The NPPF does not define 'isolated'. The Oxford English dictionary definition of isolated is:

'Placed or standing apart or alone; detached or separate from other things or persons; unconnected with anything else; solitary.'

Number 106 West Lane is a detached property and is located beyond the settlement policy boundary, however it is located within an established cluster/group of dwellings. The dwelling is set within a generous sized garden, however the garden is not so large as to prevent the house from forming part of the cluster.

The position of the house in relation to the adjacent houses is also important to consider. There are neighbouring houses to the north, south and west of number 106, therefore the site is located within the centre of the cluster rather than on the edges. The site irrefutably forms part of the cluster/group and therefore cannot logically be considered as isolated.

The planning policy consultee response wrongly asserts that the site is isolated. The reference to the need to satisfy one of the circumstances outlined in paragraph 84 of the NPPF is therefore not necessary.

The NPPF (para 124) states that planning decisions should promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively

Para 70 of the NPPF also states that:

'To promote the development of a good mix of sites local planning authorities should

e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.'

The site has a large garden that is easily capable of being sub-divided to enable a second dwelling to be built. The sub-division of the site would constitute a more efficient use of the land without requiring the loss of any agricultural land or requiring development to extend beyond the existing cluster of dwellings. The efficient use of land that is already developed, but is capable of supporting additional dwellings is in line with both paragraphs 70 and 124 of the NPPF.

Brent Geese and Waders

It is noted that the site is adjacent to a candidate site for Solent Waders and Brent Geese and additional ecological information will be submitted to address this point.

Trees

The trees within the site are not subject to TPO's. The trees create a verdant setting that also provides privacy between sites and creates a screen when the site is viewed from the public realm. The applicant is keen to retain the majority of the existing trees as they contribute to the character of the site. The site plan shows the root protection zones for the trees to be retained. The ash trees proposed to be removed at the eastern side of the site are all subject to ash die back and will need to be removed regardless. The planning statement also demonstrates that there is sufficient space to enable the construction of a dwelling without the need to remove any trees that are of a high-quality. A method statement demonstrating the way in which the trees would be protected during the construction process would be provided at the reserved matters stage.

Heritage considerations

The dwelling is of no architectural merit and does not constitute a non-designated heritage asset. Notwithstanding this, the sub-division of the site does not require the demolition of the existing house.

Design

The design of the proposed dwelling would be considered at the reserved matters stage.

Parking

The site is large enough to accommodate car parking and turning for both the existing and proposed dwellings.