

Planning Application Response of Planning Policy

Application No:	APP/21/01071
Site Address:	Land south of Lower Road and west of Old Manor Farm, Havant
Development:	Outline planning application for up to 43 dwellings, with access from Lower Road and associated landscaping, open space and allotments, and all other matters reserved.
Case Officer:	Leanne Richardson
Comments by:	Jade Ellis
Date of Comments:	12 th May 2022 (Updated 15 th September 2022)

NB Policy comments were previously provided in November 2021. The position with regard to the emerging Local Plan has since changed, with the Havant Borough Local Plan being withdrawn in March 2022. The following comments are written to address this material change in the local policy position.

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Interim Findings, the Examination was concluded, and the Havant Borough Local Plan from Examination was formally withdrawn on the 16th March 2022.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 Council's Housing Delivery Position Statement is also of relevance to the application proposals which was adopted by the Council on 16 March 2022, which is a material consideration in the determination of this application.

The following Adopted Local Plan policies are of particular relevance:

- CS17 – Concentration and Distribution of Development within Urban Areas
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements
- CS9 – Housing
- CS16 – High Quality Design
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development

Principle of Development:

As you will be aware, 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 major residential development on greenfield land.

The Housing Delivery Position Statement (HDPS) does however, recognise that further sites will be needed in order to meet housing need and significantly boost housing supply in the short term. In accordance with Decision Making Principle 4 of the HDPS, development

proposals not in Table 1 and not in accordance with the Development Plan will be considered in line with paragraph 11 d) of the NPPF and will need to demonstrate that they constitute 'sustainable development' in accordance with the NPPF, by demonstrating that:

- The remaining requirements of the Development Plan and decision making principles set out in this Statement are complied with; and
- There will not be a significant and demonstrable adverse effect from the development where mitigation is provided to the satisfaction of the local planning authority, taking into account advice from statutory consultee(s).

In addition to the above, proposals will need to demonstrate that they are deliverable in line with the definition in Annex 2 of the NPPF.

Five year housing land supply

Following the receipt of the Inspectors' Interim Findings report, 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, and as such there is a presumption in favour of sustainable development (para 11d of the NPPF).

Significantly, it does not follow that planning permission should automatically be permitted for development which would boost housing supply. However— permission should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

It should also be noted that there is no presumption in favour of sustainable development where the plan or project is likely to have a significant effect on the Solent European sites (either or alone in combination with other plans or projects) in accordance with paragraph 182 of the NPPF.

The proposed scheme is not in the five year supply in whole or part. As such, there would be a gain of 43 units to address the five year housing supply requirement.

Five year requirement with 20% buffer = 3,626 dwellings / 5 years = 725.2 dwellings a year

43 dwellings / 725.2 dwellings = 0.057 years

In this case, the scheme would contribute up to 0.06 years' supply of housing (rounded). This must be afforded great weight in the overall planning balance.

Nonetheless, it is noted that the current application is in outline form. As such, whilst the principle of development is not supported in policy terms, if planning permission is granted, a condition should be attached requiring a shorter than standard timeframe for the submission of a valid reserved matters application.

Density

Paragraph 2.19 of the HDPS indicates that it will be necessary for proposals to demonstrate they constitute sustainable development by demonstrating compliance with the remainder of the Development Plan and Decision Making Principles. In particular Decision Making Principle 5 indicates that residential development will be expected to provide a minimum of 40 dwellings per hectare based on a net developable area. This is discussed in further detail below.

Based on a net developable area of 1.46 hectares, the site would have a density of 29 dwellings per hectare (dph) which would be below the minimum density standard of 40 dph. However, it is also relevant to consider whether the design response is appropriate in the context of site-specific constraints and local character. In this respect, the Council's Conservation Team has commented that the further consideration could be given to the design layout going forward to reflect a more rural character akin to the scheme already approved. The Council's Environmental Health team has requested further information in relation to the design and layout of the properties and the details of the mitigation measures required in the context of nearby noise sources, notably the railway to the south and the A3(M).

Best and most versatile agricultural land

As the proposal relates to a greenfield site outside the settlement boundary, a soil survey was previously requested to demonstrate whether the site is (in whole or part) BMV agricultural land. The submitted report from Reading Agricultural Consultants indicates that overall the site is classified as Subgrade 3a, although Grade 2 and Subgrade 3b are also present.

High Quality Design and Heritage:

The north eastern extent of the site would lie in close proximity to the Old Manor Farm buildings which form part of the Old Bedhampton Conservation Area. As such, the development proposals would be expected to address the nearby heritage assets and their setting, and conserve and enhance them. The allocation for the adjacent land (Policy H20 in the previous Havant Borough Local Plan) specifically required the submission of a full detailed planning application to ensure the impacts on heritage assets are minimised. It is noted that this application has been submitted in outline form.

Ecology:

The site was previously identified as a Candidate Site and before that a Secondary Support Area in line with the Solent Waders and Brent Geese (SWBG) within the [Brent Goose and Wader Strategy \(October 2018\)](#) (SWBGS). However, its classification has been updated to 'no recorded use'. This reflects four years of good survey data which has led to the reclassification of the site as 'no recorded use'. Therefore, no direct impacts would need to be assessed or mitigation required.

The western extent of site also lies in an Opportunity Area as defined by the Local Ecological Network Map where there are opportunities to recreate or restore habitats. The Council's Ecologist will be able to provide further advice on this matter.

Source Protection Zones:

The site is located close to, but outside of a Source Protection Zone 1. It is noted that there are multiple mapped 'solution features' within 500m of the site. The Environment Agency and Portsmouth Water will be able to provide further advice in terms of where solution features are present, and if any conditions should be imposed.

The site also lies close to, but outside a Principal Aquifer and the developer should be aware of the possible constraints to construction methods with regard to protection of the water environment in line with advice from Portsmouth Water.

Developer Requirements:

In order to justify a departure from the Development Plan, the proposals will be expected to demonstrate compliance with the development quality standards set out under Decision Making Principle 5. These developer requirements replicate those included in those in the now withdrawn HBLP; as such it can reasonably be expected that the submitted application proposals will have been informed by the policy expectations in the Plan. It is noted that the applicant has submitted a 'development quality standards' checklist which sets out how their application complies with the requirements of Decision Making Principle 5.

Conclusion

As you are aware, there is an 'in principle' policy objection to the application proposals in the context of the adopted local plan. The site is located outside of the urban area/settlement boundary, and there would be no exceptional circumstances here which would apply to housing. The Council's HDPS does however, acknowledge that further housing sites will be needed to meet housing need and to significantly boost housing supply in the short term (see Decision Making Principle 4).

Whilst the Council is not currently able to demonstrate an up-to-date five year housing land supply position, Decision Making Principle 1 confirms the development plan remains the starting point in decision making. The development proposals will need to demonstrate that it constitutes 'sustainable development', including that there would not be a significant and demonstrable adverse effect from the development where mitigation is provided to the satisfaction of the local planning authority, taking into account advice from statutory consultee(s). In this case, the scheme would contribute 0.06 years' supply of housing and would therefore have the potential to increase the Borough's housing land supply. This must be afforded substantial weight in the overall planning balance.