

[REDACTED]

**Sent:** 04 May 2022 16:06

**To:** Ellis, Jade <[Jade.Ellis@havant.gov.uk](mailto:Jade.Ellis@havant.gov.uk)>

**Cc:** Richardson, Leanne (Capita) <[Leanne.Richardson@capita.com](mailto:Leanne.Richardson@capita.com)>; McMurray, Rachael <[Rachael.McMurray@havant.gov.uk](mailto:Rachael.McMurray@havant.gov.uk)>

**Subject:** Re: APP/21/01071 Outline application for 43 dwellings.

**CAUTION:** This email came from outside of the council - only open links and attachments that you're expecting.

Dear Jade,

Thank you for your prompt response to my question.

I have spent a little time in a darkened room trying to get my head around how and why the absence of evidence of a 5 year housing supply make sites that lie outside the urban boundary, beyond the recognised limits of accessibility, without any planning policy support or case for exception become transformed from unsustainable to sustainable.

The evidence on housing numbers is purely statistical. It does nothing to contribute to improving the sustainability of this location; a material consideration. Any housing provided in this location will forever suffer from poor accessibility with a permanent detrimental impact upon its social and environmental amenities. This must surely impact upon the weight to be attached. It cannot be good planning to *afford great weight* to the provision of **any** housing in such an isolated location surrounded by noise and fumes from the adjacent road and rail systems.

There is virtually nothing in the application to indicate what sort of housing will be provided. It remains guesswork. What there is demonstrates a very alien urban character with shortcomings in the layout and drainage. At the very least, this must reduce the degree of weight afforded to the housing.

I note you advise that the 'tilted balance' must have regard to the policies in the NPPF as a whole. These include safeguarding wildlife habitats, protecting heritage assets and providing a safe means of access. All of these considerations have a cumulative and collective impact deserving of appropriate weighting against any benefits. In particular, the adverse impacts of the proposal to locate the proposed access link immediately adjacent to Old Manor Farm buildings in conflict with the views of the appeal Inspector may, on its own, justify a balance of harm that is significantly and demonstrably against any benefits.

You will see that I have copied this to Rachael.

On Tue, May 3, 2022 at 4:22 PM Ellis, Jade <[Jade.Ellis@havant.gov.uk](mailto:Jade.Ellis@havant.gov.uk)> wrote:



Thank you for your question about sustainable development. I am able to respond as follows.

It is important to differentiate between the planning balance and the presumption in favour of sustainable development. In making any decision on a planning application, the relevant decision maker must weigh up the benefits of the application versus the harm that it causes – this is typically referred to as the planning balance. Nonetheless, there are circumstances where the [National Planning Policy Framework](#) indicates that there is a presumption in favour of sustainable development (paragraph 11). Paragraph 11 of the NPPF indicates that this means:

*“c) Approving development proposals that accord with an up-to-date development plan without delay; or*

*d) Where there are no relevant development plan policies which are most important for determining the application are out of date, 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; 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.”*

Paragraph 11 d) of the NPPF applies where the Council is not able to demonstrate a five year supply of deliverable housing sites. This ultimately changes the planning balance from essentially a balanced assessment of benefits versus harm to a tilted balance whereby the permission be granted unless specific circumstances apply. The NPPF sets out that where the ‘tilted balance’ under paragraph 11 d) ii. of the NPPF is engaged: this means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF indicates that sustainable development should be achieved through economic, social and environmental objectives which are independent and should be pursued in mutually supportive way (paragraph 8). The accessibility of local facilities and services is a material consideration and part and parcel of assessing whether the development contributes towards social and environmental objectives, but it is not the only consideration in determining whether the development proposal would achieve sustainable development. That would be part of the officers' assessment of the scheme in the overall planning balance, alongside all of the other material considerations which are relevant.

I have copied Leanne Richardson as the case officer for the application. Julia Mansi has now retired.

Best wishes,

Jade

**Jade Ellis**

**Principal Planning Policy Officer** | 07918 582775 |  [Contact me on Teams](#)  
**Planning Services**, Havant Borough Council, Public Service Plaza, Havant, PO9 2AX

**Advance notice of leave – 23 May – 1 June 2022, returning 6 June 2022**



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& <https://www.planningawards.com/finalists/warblington-farm-nature/>



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**Sent:** 25 April 2022 14:24

**To:** McMurray, Rachael <[Rachael.McMurray@havant.gov.uk](mailto:Rachael.McMurray@havant.gov.uk)>; Mansi, Julia <[Julia.Mansi@easthants.gov.uk](mailto:Julia.Mansi@easthants.gov.uk)>; Ellis, Jade <[Jade.Ellis@havant.gov.uk](mailto:Jade.Ellis@havant.gov.uk)>  
**Subject:** APP/21/01071 Outline application for 43 dwellings.

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Dear Rachael, Jade and Julia,

I am looking at the latest material on this application and have some questions that you may be able to help with. Unfortunately, I have been unable to make telephone contact with any of you.

**Sustainable development:** I note that Jade identifies that there are no exceptions for housing that would apply here but she then raises the presumption in favour of sustainable development (NPPF para 11d) and suggests that 43 dwellings should be afforded great weight in the overall planning balance. I am not clear whether the balance applies at all if the proposal fails to show that it is sustainable. The iTransport Technical Note confirms that (unlike the earlier development) the location is **not** sustainable with regard to access to employment sites, supermarkets, further education facilities and the town centre. The location oversteps the recommended distance limits. With regard to sustainable housing design, the absence of a detailed application means that there is no evidence to demonstrate how the proposal will conform or deal with issues such as this and noise protection.

My question is "If the evidence confirms that the location is unsustainable, does the planning balance come into play at all?"

**Impact upon Conservation Area:** I can find no reference in Rachael's advice to the impact of the proposed means of vehicular access. The current situation arising from the consent for 50 dwellings is that the Old Manor Farm buildings will lie adjacent to a cul de sac with a landscape buffer softening the detrimental impact of this relationship. The proposal radically changes this relationship. It introduces 7.5m of highway works, yet to be approved by the Highway Authority, and brings all of the traffic generated by the proposed 43 dwellings through this sensitive gap. I consider this amounts to substantial harm.

My first question is "When considering the impact of the proposal on the setting of the Conservation Area, has great weight been given to the asset's conservation in reaching a conclusion on the degree of harm inflicted by the proposals? My related second question is "Given the potential harm, what steps have been taken to explore alternative, less sensitive, means of access that would result in less substantial harm to the setting of the Conservation Area?"

I look forward to your response. I appreciate that time has now become critical.

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Kind regards,

