

## Planning Application Response of Planning Policy / Urban Design

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| <b>Application No:</b>   | APP/21/00991                                                         |
| <b>Site Address:</b>     | Land adjacent to Southdown View, Long Copse Lane, Emsworth, PO10 7UR |
| <b>Development:</b>      | Construction of 7No. eco-friendly detached dwellings                 |
| <b>Case Officer:</b>     | Gary Christie                                                        |
| <b>Comments by:</b>      | Jade Ellis                                                           |
| <b>Date of Comments:</b> | 18 <sup>th</sup> March 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 Havant 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Interim Findings, the Examination was concluded, and the Havant Borough Local Plan from Examination was formally withdrawn on 16 March 2022.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 will be a material consideration in any subsequent formal planning application.

The following Adopted Local Plan policies are of particular relevance:

- CS9 – Housing
- CS11 – Protecting and Enhancing the Special Environment and Heritage of Havant Borough
- CS14 – Efficient Use of Resources
- CS16 – High Quality Design
- CS17 – Concentration and Distribution of Development within the Urban Areas
- CS21 – Developer Requirements
- DM8 – Conservation, Protection and Enhancement of Existing Natural Features
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development
- DM24 – Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development
- AL1 – Presumption in Favour of Sustainable Development
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

### 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 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 (DMP4) 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. Proposals 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:**

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 is noted that the proposed scheme is not in the five year supply in whole or part. As such, there would be a potential to gain 7 units (equivalent to 0.00965 years supply), but the Council's supply position would remain at 3.9 years.

Given that the site has not been previously identified and is not in accordance with the Development Plan, if planning permission is granted, a condition should be attached requiring a shorter than standard timeframe for commencement of development.

### **Developer Requirements:**

As part of the first criterion of DMP4, the proposals will be expected to demonstrate compliance Decision Making Principle 5 (DMP5) which identifies a number of development quality standards. Compliance with these standards is necessary in order to justify a departure from the Development Plan. The applicant should submit a Development Quality Standards Checklist which clearly sets out their compliance with the requirements of the DMP5. A template checklist is available from the [Council's website](#). A number of the requirements pertinent to the scheme are considered in detail below.

In addition, whilst it is noted the scheme does not constitute a 'major' development proposal and there is no validation requirement for a Design and Access Statement, the applicant has not provided any supporting statement which explains the rationale for the development proposal, or any planning justification for the application proposals. It is noted that this is particularly significant given that the development would be contrary to the Adopted Local Plan. This will be critical to the officers' assessment of proposed development in reaching an overall planning balance in their recommendation and for the Planning Committee in making a decision.

### **Density:**

Paragraph 124 of the National Planning Policy Framework (NPPF) sets out that planning decisions should support development that makes efficient use of land, taking into account

the desirability of maintaining an area's prevailing character. As set out above in this case, it is noted the application is not supported by any kind of design rationale.

Paragraph 125 of the NPPF also indicates that there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. It should be noted that the Inspector's Interim Findings report note that Havant may be an authority which cannot sustainably meet its housing needs in accordance with Paragraph 11 b) of the NPPF. Criterion c. of DMP5 in the HDPS reflects this and expects residential development to provide a minimum of 40 dwellings per hectare based on a net developable area as a site not identified in Table 1 of the HDPS.

The application form indicates a site area of 0.7 hectares which would result in a density of 10 dwellings per hectare as only 7 dwellings are proposed. Whilst it is acknowledged that 0.7ha is likely to reflect a gross developable area, no information has been provided to enable an assessment of the net developable area. In the case of the latter, any significant buffer areas required for landscape, ecology or infrastructure such as underground pipes should be excluded. It is recommended that the applicant provide a site plan which clearly annotates the site's opportunities and constraints and denotes the extent of the net developable area available. Nevertheless, in the scheme's current form, it is not possible to conclude that the proposals would make an efficient and effective use of land in accordance with DM5 and paragraphs 124 and 125 of the NPPF.

### **Low Carbon Design**

Given the reference to 'eco-friendly dwellings' in the application description, it is worth noting that criterion i) of the DMP5 in the HDPS expects residential development to achieve a reduction in CO2 emissions of the Dwelling Emission Rate (DER) compared to the Target Emission Rate (TER) of Part L of the Building Regulations. However, no information pertaining to the sustainability credentials for this scheme are included within the application.

From the description of the development with a specific reference to 'eco-friendly', it could be reasonably expected that the development would achieve a sustainable construction standard which is above and beyond the requirements of DMP5. As set out above, the applicant is expected to provide a supporting statement which explains the rationale for the development proposal and clearly explains the sustainability merits of the scheme's design.

### **Landscape:**

The site is near to the South Downs National Park Authority, including the Dark Night Sky Reserve. It should be noted that paragraph 176 of the NPPF indicates that great weight should be given to conserving and enhancing the landscape and scenic beauty of these areas which have the highest status of protection in relation to these issues. In particular, development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. In this respect, Core Strategy policy CS11 is of relevance in terms of ensuring this designated landscape is protected, and where possible enhanced. As such, it is recommended that the South Downs National Park Authority and the Council's Landscape Team are consulted on the development proposals.

### **Summary:**

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 acknowledge that further sites will be needed significantly boost housing supply in the short term (see DMP4). However, in such cases, the HDPS is clear that development proposals should clearly demonstrate that they constitute 'sustainable development' in accordance with the NPPF.

In the absence of any information, it cannot be concluded the development would constitute sustainable development. It is noted that there would be potential harm through the failure to make efficient and effective use of land. It is recommended that the applicant submit a detailed Design and Access Statement, which clearly explains the design rationale to the scheme and an assessment of the relevant material considerations including the extent to which the proposals comply with DMP5.