

Planning Application Response of Planning Policy / Urban Design

Application No:	APP-13-00266
Site Address:	Havant Retail Park, Portsdown Hill Road, Havant
Development:	86 dwellings
Case Officer:	Sally Smith
Comments by:	Lucy Howard & Robyn Lyons
Date of Comments:	22 August 2013

Local Plan

It should be noted that the Draft Havant Borough Local Plan (Allocations) was published for public consultation under Regulation 18 on 3rd December 2012. This includes a number of draft strategic, allocation and development management policies that may be relevant to this proposal. Where relevant these are material considerations to be taken into account in the determination of planning applications by the Borough Council. Here is a link to the draft plan

<http://www.havant.gov.uk/planning-policy-design/draft-havant-borough-local-plan-allocations>

CIL Charging Schedule

On the 20 February 2013, the Council approved that the Havant Borough Community Infrastructure Levy Charging (CIL) Schedule. The Charging Schedule will take effect from the 1st August 2013. Therefore, from 1st May applicants will need to take the charging schedule into account when discussing developer contributions. More information is available on the Council's website <http://www.havant.gov.uk/planning-policy-design/community-infrastructure-levy>

Health and wellbeing: Havant Retail Park is currently occupied by AMF Bowling and Homebase. The bowling alley is a type of community facility as it provides a beneficial facility to the community. It is therefore protected by policy CS1 and DM2 of the Local Plan (Core Strategy). The Homebase store which has now closed is not defined as a community facility as it is an out of centre DIY superstore. The closure of the bowling alley would be a significant loss to the local community as it is a indoor leisure facility well used by young people, the elderly and disabled groups.

The application needs to meet all the policy tests set out in DM2.1 namely evidence of an active marketing process. A marketing report has been submitted with this enquiry and is considered in regard to the six criteria of policy DM2.1 as follows:

1. The site has been marketed for a little under three years, which exceeds the 12 months required for a major community facility.
2. Marketing boards were not used but the commercial justification of this is set out in the marketing report is adequate.
3. The marketing log contains a detailed commentary listing all the retail and leisure businesses that have been approached including cinemas, fast food outlets and other operators of bowling alleys.
4. An advertisement has been placed in Estates Gazette.
5. There is no evidence of marketing on the internet.

The marketing statement provides robust evidence of an effective marketing campaign that complies with policy DM2. Although marketing boards and the internet were not used for marketing the approach of targeting key players rather than a wider marketing campaign is adequately justified in the report.

The application also needs to meet the policy tests set out in DM2.2 namely evidence that the bowling alley is no longer required for community use or that there is an easily accessible existing or new facility for the community it is intended to serve. AMF Bowling is the only facility of its type in the Borough and if it were to close residents would have to travel out of the Borough to Portsmouth, Fareham or Chichester to go bowling. The petition containing 1,419 signatures demonstrates significant public support for the bowling alley.

The Community team has compiled a list of schemes that could provide the basis for alternative community provision. This would only be an acceptable approach if all aspects of policy DM2 have been complied with. It should be acknowledged that the scale and the nature of the new provision would be very different to the existing bowling alley. A viability report by the applicant has been considered by the Valuation Office. This draft report would suggest that further contributions could be provided to address the matters that remain contrary to policy. The Valuation Officer will advise further on the matter.

Paragraph 216 of the NPPF states that weight should be given to relevant policies in emerging plans from the date of the publication. The site is allocated for mixed use development including 33 new homes in policy HB3 of the Draft Local Plan (Allocations). The supporting text requires the retention of the bowling alley as part of a mixed use scheme or the provision of an alternative community facility. Here is the text in full:

5.31 Havant Retail Park (H80) is a brownfield site next to the A3(M). It is currently occupied by a bowling centre and a DIY superstore. The bowling centre is a well used community facility, particularly by young people. Any development proposal for housing on the site will need to retain the bowling centre, or provide an alternative community facility.

Promoting Havant Borough's Economy: Neither the shop or the bowling alley are traditional B class employment uses and so policies CS2 and DM3 are not applicable to this proposal. Nevertheless the proposal would result in the loss of a number of jobs. The unemployment rate in Havant Borough was 3.4% in March 2013.

Skills and employability are an important issue for the borough. An Employment and Skills Plan will be required to maximise the benefits of the development to local people through jobs and training. The plan will apply to the construction phase of the development. Further details can be obtained from the Economic Development officer.

Housing: The proposal will contribute to achieving a net total of 6,300 new dwellings in the Borough between 2006 and 2026.

It is relevant to refer back to the Draft Allocation Plan. The indicative housing figure for this site is 33 and this application is for 86 dwellings. The site is located in the Havant and Bedhampton area of the Borough where there is a requirement to allocate sufficient land to accommodate 1,189 to 1,378 homes in the period 2012 to 2026. A number of sites are allocated for housing in draft policies HB1 and HB3. Paragraph 196 of the NPPF states that the planning system is plan-led.

At the time of writing the Council currently have sufficient deliverable housing supply in accordance with the requirements of the NPPF. There are also sufficient developable sites to meet the plan requirement of 6,300 new dwellings between 2006-2026 without reliance on the dwellings this application will provide.

Policy CS9.2 requires between 30% and 40% affordable housing to be provided on site. Currently the application does not propose any affordable housing provision and is therefore contrary to policy CS9. Although the supporting text for this policy allows for flexibility subject to viability work the viability report by the applicant has been considered by the Valuation Office and their draft findings would indicate there is capacity for further contributions beyond that currently offered. With 2,764 households currently on the waiting list for affordable housing it is important that large housing schemes do deliver new affordable homes for the Borough. This application is clearly contrary to policy CS9.2.

In housing terms therefore the Council have sufficient supply and availability of alternative developable sites in order to meet the plan requirement. Such other sites are currently considered viable in the context of developer requirements/CIL without compromising developer contributions to such a degree.

It is also necessary to consider the recent Appeal decision at Goldring Close. The appeal was allowed and permission was granted for 131 dwellings. There are a number of differences between the Goldring Close and Havant Retail Park proposals. The former provided 30% affordable housing in line with policy CS19, is located in close proximity to a District Centre with a full range of local facilities and is well related to an existing residential centre. The Havant Retail Park proposal does not constitute sustainable development in accordance with paragraph 7 of the NPPF in that it will have a detrimental impact in economic terms through the loss of jobs, a detrimental impact in social terms by way of the loss of a community facility and non-provision of affordable housing or an education contribution and environmentally it will be detrimental in the event that matters relating to the impact to the SPA (in consultation with Natural England) are not resolved.

Caring for our Borough: The application will need to comply with Core Strategy policy CS14 and meet level 3 of the Code for Sustainable Homes.

The proposed site is located within a former chalk quarry. The proposed scheme must meet the challenges of this location and respond positively to existing features in line with policy CS16 on high quality design.

The Solent Disturbance and Mitigation Project (SDMP) has shown that recreational activity close to the Langstone and Chichester Harbour Special Protection Area (SPA) can have an adverse impact on bird populations. Policy CS11 of the Core Strategy requires planning applications to have particular regard to the hierarchy of nature conservation designations including the SPA. Natural England have commented on the need for mitigation in regard to this development. Further information is required on this matter.

Concentration of development within the urban area: The site is within the urban area boundary as defined on the Local Plan Proposals Map and therefore complies with Core Strategy policy CS17 on the concentration of development within the urban area.

Infrastructure: The proposal will need to comply with all aspects of policies CS20, DM11 and DM12. This may include a contribution towards education provision in the local area.

Conclusion: The proposal is contrary to Policy DM2.2 on the protection of existing community facilities and contrary to policy CS9 as it fails to provide affordable

housing provision. Developer contributions also currently fall short of requirements and the viability report and subsequent independent assessment would suggest further financial or on-site provision can be made before the site becomes unviable. It is therefore also contrary to policy CS21 on developer contributions.