



11 March 2021

Dear Ms Wells,

186 SEA FRONT, HAYLING ISLAND

Further to my recent letter of objection my clients,  have monitored the documents made available for public viewing on the Council's website. One of those documents, the consultation response from the Policy Officer, has given cause for concern. Having reviewed that response and discussed the matter with my clients I wish to offer a number of comments.

However, before setting out those comments I draw your attention to a typo regarding the "date of comments" which refers to 2020 rather than 2021.

The comments I wish to make on behalf of my clients are as follows:-

1. Given that the emerging Local Plan has only recently been submitted for Examination, its policies, if deemed relevant to the proposal, would carry limited weight. It is highly unlikely to have progressed to adoption by the time this application is determined. The onus is on the decision-maker to decide how much weight would apply in the particular circumstances of the case.
2. The Policy Officer erroneously refers to DM14 when the relevant policy is DM13.
3. Policy DM10 is of questionable relevance.
4. Policy E20 of the emerging Local Plan has been omitted.
5. It would have been better to say that, as a matter of principle, the application site could be considered appropriate for redevelopment. An acceptable form of redevelopment would, however, be the subject of detailed design considerations and other policy requirements being met.
6. Whilst the thrust of national planning policy is to make the best use of brownfield sites it does not go as far as prescribing minimum densities, but does indicate that the desirability of maintaining an area's prevailing character and setting (including residential gardens), is also an important factor. Assuming that the site area is calculated correctly, a 2-storey development that respects its surroundings would still be capable of achieving an appropriate density without conflicting with paras 122 and 123 of the NPPF.
7. The final paragraph under the heading "Housing Density" has been addressed in point 5 above. To be more accurate it should simply have stated "although consistent with the

underlying principles associated with making best use of urban land, the acceptability, or otherwise, of the proposed development is subject to other policy considerations.”

8. The sentence under “Design” should, perhaps, have been augmented with the words “and consistent with the objectives of the NPPF.”
9. Given that the government has previously made it clear that new dwellings must comply with the “Technical housing standards – nationally described space standard”, it would have been more appropriate to comment that policy H1 is consistent with that requirement.
10. As part of its Ministerial Statement published on 25th March 2015 the government stated that “we recognise that achieving the zero carbon standard will be a challenge for home builders and in particular smaller home builders and so last year we consulted on how an exemption for small sites could operate” ... “We have decided there will be an exemption for small housing sites of 10 units or fewer, which are most commonly developed by small scale home builders and can be more expensive to develop irrespective of the size of the builder, from the allowable solutions element of the zero carbon homes target. This means that all new homes will be required to meet the strengthened on-site energy performance standard but those building on small sites will not be required to support any further off-site carbon abatement measures.”
11. It is clear that the level of on-site car parking is not policy compliant. The minimum number of spaces required by Table 4A of the SPD: Car Parking Standards for the proposed ten flats amounts to 17, and given that it is not a “small” development, there would be a further requirement for 4 visitor spaces. To be policy compliant the development would need to provide a minimum of 21 on-site car parking spaces. The lack of electrical charging points was raised in the previous letter of objection.
12. There is an omission regarding the provision of affordable housing within the consultation response, despite policy CS9 being included within the list of relevant policies. It is clear that the requirements of CS9 are out of date. Your attention is drawn to paras 62 and 64 of the NPPF. The applicant has failed to demonstrate why it would not be practicable to allocate one of the proposed flats as an “affordable” unit, preferring instead to opt for a contribution to off-site provision.
13. Despite the limited weight that can be applied to the emerging local plan policies, the vast majority of policies referred to in the detailed comments are not based on the Council’s Core Strategy.
14. If the intention of the consultation exercise was to clarify relevant policies and provide guidance on the weight they should be given, the response went beyond its terms of reference. If the purpose was to elicit an opinion on policy compliance, this assessment

of the response has revealed a number of shortcomings which I hope you will be able to address in your consideration of the proposed development.

As I am sure you will agree, the consideration of the planning merits of the proposal need to be robust and transparent.

Yours sincerely,

