

Site Address: Land west of, Hulbert Road, Havant

Proposal: Outline planning application with all matters reserved except access for the development of up to 100 dwellings and associated improved site access, landscaping, footpaths, SuDS and other associated works on land to the west of Hulbert Road, Havant.

Application No: APP/20/00441

Expiry Date: 05/11/2020

Applicant: The Trustees of The GHM Jackson 1972 Settlement

Agent: Dr Lyons

Case Officer: Lesley Wells

Ward: WYG

Ward: Barncroft

Reason for Committee Consideration: Large scale major application and contrary to the provisions of the development plan and the emerging Local Plan; also at the request of Councillor Weeks

Density: 21 dwellings per hectare

**HPS Recommendation: GRANT OUTLINE CONSENT**

## Executive Summary

The proposal is an Outline Planning Application for up to 100 new homes plus associated landscaping, footpaths, SuDs and other associated works. Only the access arrangements have been requested to be considered at this stage, with all other matters reserved.

The site is located on the west side of Hulbert Road between Waterlooville and Havant. To the south of the site are the B&Q and Asda stores and to the north is the Dunsbury Park employment area. Directly to the west of the site is the A3(M) motorway and to the east is Hulbert Road.

To the north and south of the site are areas of woodland, which are in the applicant's control. These areas are designated as a Site of Interest for Nature Conservation (SINC), as is the woodland on the opposite side of Hulbert Road. There are also trees and vegetation along the west and east boundaries of the site.

The woodland to the north is the subject of a Woodland TPO, with protected trees along the southern and part of the eastern boundaries of the woodland to the south.

In terms of the principle of development, the site is not allocated in the development plan for residential development. In the emerging Local Plan, the application site is located outside of the settlement boundary as proposed to be defined by Policy E3. The site is however promoted as an 'omission site' as part of the Local Plan examination, which the Inspectors have indicated that they will consider the merits of as part of the stage 2 hearings in the Autumn/Winter 2021. Therefore, the status of the site has the potential to change as the examination progresses. Nonetheless, refusal of the scheme due to prematurity would not meet the tests of paragraph 9 of the National Planning Policy Framework.

The site is safeguarded under Policy IN1 of the emerging Local Plan for a combined emergency services hub. The site has been purposefully identified as safeguarded land as opposed to being allocated, reflecting the fact the land cannot be considered to be available now for this purpose. However, following a discussion with the Hampshire & Isle of Wight Fire and Rescue Service (HIWFRS) it has been confirmed that if planning permission is granted for this development, communities would continue to be adequately served by the HIWFRS through its current estates provision.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development is contrary to adopted and emerging Local Plan policy. However, the NPPF and the Borough's shortage of a five year supply of deliverable land for housing is also a material consideration.

The Council published its latest 'Five Year Housing Land Supply Update in September 2021. This indicates that the Council cannot demonstrate a five year supply of deliverable sites. The assessment found that the Council could only demonstrate a 4.3 year housing land supply, with a 20% buffer.

The National Planning Policy Framework indicates that where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites the policies in the development plan are to be considered out of date. In such cases the 'tilted balance' is engaged under paragraph 11(d), and the local planning authority as the decision maker must carry out a 'balancing exercise' in which planning permission should only be withheld where the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the scheme. Therefore, national policy considerations should be afforded substantial weight in the planning balance against the conflict with the development plan.

The site has been assessed against the three overarching objectives for sustainable development in the National Planning Policy Framework; which are economic, social and environmental and it is concluded that overall these objectives can be met by the development, subject to appropriate conditions and legal agreement requirements.

The indicative layout has been assessed in terms of its impact on the character and appearance of the area and it is concluded that, subject to the final design and layout (reserved matters) there would be an acceptable impact on the surrounding landscape and from public vantage points.

The housing mix in the indicative layout would be of apartments and dwellinghouses. Details as to the range of types and sizes would be provided at the reserved matters stage. 30% affordable housing provision would be secured from the development to meet the Council's adopted and emerging policies. The density of development proposed for the site (i.e. up to 100 dwellings) is considered to be appropriate having regard to the site's location close to, but outside of the urban area.

The indicative layout, noise attenuation measures and air quality have been assessed and are considered to provide acceptable residential amenity for future residents subject to appropriate details being provided at the reserved matters stage.

Highway impacts have been considered in detail and improvements to sustainable travel are proposed through the provision of a shared cycleway and footway to the south and a footway to the north. It is considered that the site is sustainable in transport terms, subject to the mitigation measures proposed and the works secured by the associated S106 agreement and condition requirements.

In relation to the public open space provision, the indicative layout is considered acceptable in principle subject to appropriate details at the reserved matters stage.

Flood risk and drainage proposals have been considered and subject to suitable foul and surface water drainage conditions, an appropriate drainage regime can be provided which mitigates flood risk.

Ecological impacts have been subject to detailed consideration and where necessary appropriately mitigated for example in relation to bats and dormice. Conditions and the associated S106 requirements are recommended to secure mitigation.

Impacts on trees and proposed landscaping has been assessed and subject to appropriate conditions and the reserved matters application acceptable development can be secured.

A package of infrastructure requirements would be secured in relation to the development via the S106 legal agreement in order to ensure that the proposal constitutes sustainable development.

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment (AA) under Regulations 63. The screening under Regulations 63(1) (a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area (SPA) requiring mitigation. The subsequent AA included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy and reflective of the Position Statement on Nutrient Neutral Development. The AA concluded that this is sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur, and this conclusion has been accepted by Natural England.

To conclude, it is considered that the scheme would contribute to the need to significantly boost the supply of homes within the Borough which must be afforded weight in the overall planning balance. In assessing the proposal (including associated evidence) against the adopted development plan, the National Planning Policy Framework and given the need to maintain a five year supply of deliverable housing sites, the scheme is considered to represent sustainable development and is therefore recommended for permission, notwithstanding that it is contrary to adopted and emerging Local Plan policy.

## **1 Site Description**

- 1.1 The site is located on the west side of Hulbert Road between WaterlooVille and Havant. To the south of the site at the southern end of Hulbert Road are the B&Q and Asda stores and to the northern end of Hulbert Road is the Dunsbury Park employment area. Directly to the west is the A3(M) motorway and to the east is Hulbert Road which links the settlements of Havant and WaterlooVille.
- 1.2 The plot is oblong in shape and comprises a grassed open area, together with a strip of roadside verge extending both north and south to accommodate a footpath to the north and a footpath/cycleway to the south. The total site area, including the area for the future footpath and footpath/cycleway is 7.25 hectares. The main development site excluding these areas measures approximately 4.71 hectares. The land rises from