



**HAVANT BOROUGH COUNCIL
LOCAL DEVELOPMENT FRAMEWORK
CORE STRATEGY EXAMINATION**

**Statements addressing Inspectors Questions
for Hearing Session considering**

**DEVELOPMENT MANAGEMENT POLICIES
AND OTHER MATTERS**

**Statement of
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**On behalf of
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and

**HEDLEY GREENTREE ASSOCIATES representing CAPCO
Ref:-PPUD/08/0489**

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1.0 INTRODUCTION

- 1.1 It is understood that Development Management Policies are emerging as a new concept. There appears to be limited advice available and a recent exchange of emails with the Planning Inspectorate (PINS) has stated that there is no detailed advice available.
- 1.2 PINS guidance on soundness dated August 2009 poses the following question "If there are development management policies are they supportive of the strategy and objectives".
- 1.3 The Examination of the Development Management Policies on this basis raises concerns that they are "old style" development control policies. It is also evident that the policies that are included do not cover all of the matters raised in the Core Strategy. However, some Development Management Policies are very detailed and not appropriate for a Core Strategy which should be more broadly based.
- 1.4 The emphasis on the basis of available advice is placed on moving "from the traditional development control approach to handling development proposals to a new development management approach" (CECG Development Management Consultation December 2009).
- 1.5 There is no evidence that the authority has grasped the "culture change to a more positive and pro-active approach" (paragraph 2; page 42 Evidence Base, as above). The policies that are quoted are generally couched in restrictive terms rather than the promotional approach outlined in the guidance.

Making the Core Strategy Sound

- 1.6 Any development control policies should be removed from the Core Strategy and replaced by guidance that provides a "positive and pro-active approach to place shaping".
- 1.7 New guidance should be inserted that promotes development and provides advice on communication with stakeholders as required by the Consultation 2009.

2.0 DEVELOPMENT MANAGEMENT POLICIES

Question 15

Are the development management policies appropriate? Are they consistent with government guidance?

- 2.1 It is considered that the Core Strategy has included policies that are not consistent with the relevant advice. However, in the event that the Inspector takes a different viewpoint comments are made on Development Management Policies that have caused concern.

DM1 Recreation and Open Space

- 2.2 This policy is too restrictive and should facilitate the possibility of the replacement of open space and recreational facilities if the new proposal offers more and better space and improved facilities.
- 2.3 This requirement is in line with Council's standards and developer contributions policy.

DM2 Community Facilities

- 2.4 It is difficult to see the relevance of this policy which has no relationship with the objectives of the Core Strategy. It is a restrictive development control policy which sets out the Council's view on such changes of use.
- 2.5 The emphasis on seeking alternative community uses for a local shop is not realistic and the reference to "local shops" should be deleted. Furthermore the term "local shop" is vague and would be difficult to define.

DM3 Protection of Existing Employment and Tourism Uses

- 2.6 This policy is generally supported but is evident that some sites are located in areas that are poorly related to surrounding development and have issues of access.
- 2.7 The policy should promote sites at Dunsbury Hill Farm and Brockhampton West.

Policies DM4 and DM5

- 2.8 These development control style policies do not appear to add anything to national guidance. The control of changes of use could be altered by

emerging guidance from the coalition guidance which means it could have a very short period of relevance.

Policy DM6

- 2.9 This policy adds nothing to national guidance. The policy is couched in the 'negative'.

Policy DM7

- 2.10 In its publication "Forward Together: A Sustainable Community Strategy For Havant Borough 2008-2012" it is stated, on page 24, that:-

In statistics for Hampshire about the senior age groups, Havant has the second highest percentage in its population of people over 60 and over 75. This implies increasing needs of an ageing population. It presents a significant challenge to create lasting solutions to meet those needs. Helping older people to stay as healthy, fulfilled and independent as possible is a priority. The aim is to support people within their communities, and prevent the need for more intensive forms of care. This can only be achieved by continuing consultation and partnership working with older people locally. All must work together to develop solutions that are appropriate and fit together without gaps in provision.

- 2.11 The provision for the over 65's cannot rely on the redevelopment of sites within the urban area. Parts of the Urban Extension Sites and other redevelopment opportunities in the countryside areas should be considered for nursing homes and retirement villages in order to provide a range of options for the elderly.

- 2.12 The South East Plan may have been abolished but it provided useful information with regard to an ageing population. Under the Title, Supporting an Ageing Population, Policy CC5: Supporting an Ageing Population paragraph 5.15, stated that 'Projections for the UK suggest that the South East will have the third largest number of people over 65 of all the English regions. Sub-paragraphs iii. and iv. stated

- iii. **the provision of leisure, recreational and community facilities (including greenspace) that help older people maintain active and healthy lifestyles**
- iv. **facilitating access to training and development opportunities that support available employment for the workforce beyond the existing retirement age.**

- 2.13 The policies in the Core Strategy need to be more supportive with the objective of promoting development. The paragraph with reference to development “outside the defined urban area” ...to... “an extension to existing facilities” should be deleted.

Affordable Housing or Loss of Dwellings

- 2.14 There is no policy in respect of affordable housing or loss of dwellings. There is a restrictive comment that refers to CS9 that states that “The Council will resist applications for the conversion of two smaller dwellings into a larger, single household”. Again, this does not seem to be appropriate to this section which refers to housing numbers. Such proposals should be judged on their merits and not in the context of overall provision.

DM8

- 2.15 This policy is very detailed but it does not appear to add any points that are not in national guidance.

DM9

- 2.16 It is not clear why this policy only refers to the Coastal Zone.

DM10

- 2.17 Another policy in a development control format.

OTHER MATTERS NOT COVERED BY POLICIES

- 2.18 On the other hand, there are no policies in respect of Flood Defence and Coastal Works and how they will be funded; nor the Historic Environment and Conservation Areas; nor Archaeological Sites.

- 2.19 In these instances, the Sections provide guidance on “*where else to look*” which seems to be the manner in which most matters should be covered rather than the random provision of specific policies.

DM11 and DM12

- 2.20 These policies are detailed statements that are inappropriate to the Core Strategy. They should not be enshrined as policy but provided as additional guidance.

OTHER MATTERS :Question 26

Has the CS adequately addressed the Borough's infrastructure need and how these are funded and delivered in a co-ordinated manner?

- 2.21 It is evident that the infrastructure and relevant funding required to ensure the 'timely' development of Dunsbury Hill Farm is not available and this project has been set back several years. There has been no contingency consideration for the delay in this project which is expected to provide a significant proportion of the new commercial floorspace for the Borough.

Question 27

Is the CS19 consistent with Circular 05/2005? Is there flexibility to deal with any policy changes?

- 2.22 The thrust of Policy CS 19 seeks to ensure the adequate and timely provision of infrastructure requirements associated with new development. However the wording of the second paragraph is not particularly well expressed. The wording:-

"These contributions should be sufficient to support the development including the mitigation of the impact of cumulative developments on existing community interests "

- 2.23 This gives me particular concern and appears to be contrary to government advice . Circular 05/2005 Appendix B Secretary of State's tests make it very clear that

"Planning obligations should not be used solely to resolve existing deficiencies in infrastructure provision or to secure contributions to the achievement of wider planning objectives that are not necessary to allow consent to be given for a particular development"

- 2.24 The obligations should not be used to correct earlier deficiencies which is what is suggested by "the mitigation of the impact of cumulative developments."

- 2.25 The policy or the supporting text may benefit by some reference to the 5 tests set out in paragraph B5 of the Circular. The current wording of the policy could prove to be restrictive in terms of policy changes. For example the policy lists 10 headings under which the Council will seek provision or contributions as appropriate. It is possible that in time as policy evolves other topics could need to be added to the list. It may be preferable not to include a list.