

# **Hart District Interim Housing Delivery Strategy - 1<sup>st</sup> October 2013**

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## Introduction

Pending the adoption of a revised Core Strategy, this Interim Housing Delivery Strategy sets out local guidance on the Council's current position regarding planning for housing within Hart. This is not a statement of policy, but this sets out planning principles which will inform decisions on planning applications for new housing. It sets out the rationale for introducing an interim housing number for use to calculate a five year housing land supply which is subject to a cap arising from the Thames Basin Heaths Special Protection Area (TBHSPA).

This document should be read in conjunction with:

- 1) The National Planning Policy Framework;
- 2) Policy NRM 6 from the South East Plan;
- 3) Saved Policies from the adopted Hart District Local Plan (Replacement) 1996-2006. Of particular relevance (but not exclusively) regarding housing development are the following policies:
  - a. GEN1 (General Policies for Development Control)
  - b. ALT GEN13 (Affordable Housing)
  - c. RUR20 (Housing in Rural Settlements)
  - d. RUR22 (Affordable Housing in Rural Areas)
  - e. URBI2 (Residential development: criteria)
  - f. URBI8 (Residential densities in North Fleet and Yateley Conservation areas)
- 4) Leisure and Open Space Policy – Hart District Council – approved November 2012.

## **Planning Principle 1: Presumption in favour of Sustainable Development**

**When considering development proposals for new housing, the Council will take a positive approach that reflects the presumption in favour of sustainable development. This will apply to all proposals except where development requiring appropriate assessment under the Birds or Habitats Directive is being considered, planned, or determined.<sup>1</sup>**

**The Council will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.**

**Planning applications for new housing that accord with the principles in this Interim Housing Delivery Statement will be approved without delay, unless material considerations indicate otherwise.**

**Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise – taking into account whether:**

- **Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (or its successor) taken as a whole;**
- **Specific policies in that Framework indicate that development should be restricted.**

The overall aim of this Planning Policy Statement is to deliver sustainable housing development in Hart in accordance with NPPF objectives. Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Sustainable development is also often defined in terms of social, economic and environmental progress.

The presumption in favour of sustainable development applies *except where an appropriate assessment is being considered, planned, or determined* (in accordance with NPPF paragraph 119). For more information on when an appropriate assessment will, or may, be needed, see Planning Principle 3: Housing Number.

## **Planning Principle 2: Location of Housing Development**

**In planning for the location of new housing development, the Council will adopt the following principles:**

- a) **Development will generally be permitted within defined settlement boundaries.**

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<sup>1</sup> No residential development will be allowed within 400m of the TBHSPA and some large scale residential development within 5km-7km of the TBHSPA will need to be screened to assess whether they are likely to have a significant effect on the integrity of the TBHSPA either alone or in combination with other plans or projects. Where necessary a full Appropriate Assessment will be undertaken.

b) **Development will generally be permitted outside defined settlement boundaries provided that it:**

- i) **accords with policies relating to the countryside; or**
- ii) **is on previously developed land; or**
- iii) **is allocated for development.**

**The coalescence of settlements will be strongly resisted.**

c) **Development will be permitted which is consistent with the character, accessibility and provision of infrastructure and services in the area.**

d) **The development of garden land will generally be limited to small-scale infilling and will only be permitted where it does not cause harm to the local area.**

Development within settlement boundaries (identified on the adopted Local Plan (Replacement 1996-2006 Proposals Maps) enables the ongoing renewal and maintenance of the built environment within settlements and the efficient use of land within them. Development will therefore be acceptable in principle within settlements unless sites are protected from development under other policies.

Outside settlement boundaries, development will be permitted in accordance with policies relating to the countryside. The redevelopment of previously developed land in the countryside will generally be encouraged provided that the site is not of high environmental value and that the proposed use and scale of development is appropriate to the site's context. Where sites are allocated for development in the countryside, policies relating to the countryside will not apply.

The settlement boundaries will remain as identified on the adopted 2001 Local Plan Proposals Map until they are reviewed through a subsequent Local Plan document.

Development that is acceptable in principle, whether within or outside settlement boundaries, must then comply with other principles, for example those concerning design and infrastructure. The Council is keen to protect and enhance the separate and distinctive character of Hart's settlements, and features such as trees, gardens and open spaces that are important to biodiversity, recreation and townscape will be protected. This must be seen in the context of recognising the importance of green networks and open spaces within urban and suburban areas and the particular nature of urban wildlife. These are of local importance for wildlife and for the provision of high quality green spaces.

Proposals involving the development of garden land will be carefully considered to ensure that the character of established residential areas is maintained. It is unlikely that proposals for more than small scale infill development will prove to be acceptable. This approach will mean that existing residential neighbourhoods will retain their own individual characteristics as reflected in the Hart District Urban Characterisation and Density Assessment.

### **Planning Principle 3: Housing Number**

**Within the Thames Basins Heaths Special Protection Area (TBHSPA) zone of influence the Council will grant permission for sustainable residential development that provides SPA mitigation in accordance with the Council's Interim Avoidance Strategy, up to a maximum of 4,400 dwellings from a base date of 1<sup>st</sup> April 2006 at a rolling average rate of 220 dwellings/per annum not to exceed 660 dwellings in any three year period. Higher rates of delivery will NOT be allowed unless it can be demonstrated through an Appropriate Assessment (applying a precautionary approach) that any greater level of development, either on its own or in combination with other plans or projects, is not likely to have a significant effect on the TBHSPA. This applies even if mitigation is**

provided in line with the Council's Interim Avoidance Strategy.

**Note:**

- a. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directive is being considered, planned or determined - Paragraph 119 of the NPPF**
- b. No residential development will be allowed within 400m of the TBHSPA**
- c. Some large scale residential development within 5km-7km of the TBHSPA will need to be screened to assess whether they are likely to have a significant effect on the integrity of the TBHSPA either alone or in combination with other plans or projects. Where necessary a full Appropriate Assessment will be undertaken.**

The Council considers that the TBHSPA currently places a cap on residential development within the area of Hart that lies within the TBHSPA zone of influence. Without adequate mitigation net additional housing development (residential institutions and dwellings) within 5km of TBHSPA will have, at least in combination, a significant effect on the TBHSPA. This is regardless of any mitigation proposed with individual developments. Furthermore, some large scale residential development beyond the TBHSPA zone of influence (5km-7km) will need to be screened to assess whether they are likely to have a significant effect on the integrity of the TBHSPA either alone or in combination with other plans or projects. Where necessary a full Appropriate Assessment will be undertaken.

Policy NRM6 of the South East Plan (SEP) sets out the extent of mitigation measures required based on current evidence, to deliver the housing targets contained within the now abolished SEP. In Hart's case approximately two thirds of the District lies within 5km of the TBHSPA and almost the entire densely populated areas of the District lie with 7km. The legal implications of this are discussed in the opinion sought in June 2013.

The Sustainability Appraisal and Habitats Regulations Assessment/Appropriate Assessment of the Secretary of State's Proposed Changes into the SEP (July 2008) made it clear at Paragraphs 15.4.14-15.4.17 that the levels of housing within the TBHSPA-affected authorities should be phased and that results of monitoring the effectiveness of SANGS as mitigation should to be evaluated before higher levels of housing are delivered<sup>2</sup>. This reflects the concerns raised in the Assessor's Report for the SEP Panel into the TBHSPA and Natural England's Draft Delivery Plan (February 2007)<sup>3</sup>:

*"There is as yet little quantifiable evidence that the provision of SANGs, together with other measures, will be sufficient to mitigate the impact on the SPA. Until such time as this has been more firmly established, I would recommend against allocating more housing within the area".*

When the final SEP was adopted, the housing policies (H1 and H2) were amended so that the words 'at least' were removed from the housing targets. The supporting text to H1 and H2 was also amended to clarify that higher housing targets in Local Plans would need to be tested through Sustainability Appraisal and Habitats Regulations Assessment (paragraph 7.7 of the SEP). These changes reflected the fact that notwithstanding the inclusion of Policy NRM6 in the SEP, higher than SEP housing figures still needed to be tested for any adverse impacts on the SPA. In the absence of

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<http://www.surreyheath.gov.uk/surrey%2520heath%2520borough%2520council/planning%2520policy%2520and%2520conser%2520vation/CDSHBC901aSEPSEAAJul08reduced.pdf>

<sup>3</sup>

[https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fwww.surreyheath.gov.uk%2F%2Fsurrey%2520heath%2520borough%2520council%2Fplanning%2520policy%2520and%2520conser%2520vation%2F%2FCDSHBC908SouthEastPlanTBHSPAAssessorsFinalReport.pdf&ei=3JslUoJfC8Kw0AXPyoFA&usq=AFQjCNEdDn08X9THnijG0o\\_H9j9mGPvrbg&bvm=bv.50500085,d.d2k](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC8QFjAA&url=http%3A%2F%2Fwww.surreyheath.gov.uk%2F%2Fsurrey%2520heath%2520borough%2520council%2Fplanning%2520policy%2520and%2520conser%2520vation%2F%2FCDSHBC908SouthEastPlanTBHSPAAssessorsFinalReport.pdf&ei=3JslUoJfC8Kw0AXPyoFA&usq=AFQjCNEdDn08X9THnijG0o_H9j9mGPvrbg&bvm=bv.50500085,d.d2k)

an adopted Local Plan for Hart, the only 'sound' housing target for Hart that is supported by an Habitats Regulations Assessment is the SEP housing target. Therefore, developments that would exceed Hart's SEP target must be supported by an appropriate assessment, even if they provide mitigation in accordance with Policy NRM6 and the Council's Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area.

A precautionary approach within the TBHSPA zones of influence is therefore, obligatory and, as confirmed in the NPPF, the principle associated with the presumption in favour of development does not apply where development requires an appropriate assessment (Paragraph 119 of the NPPF). The onus is placed on the Council to rule out development which is likely to have significant effects on the integrity of the TBHSPA if higher than SEP levels of housing are to be permitted. There is however, currently little new reliable evidence to demonstrate that Hart's or any other SANGs have more attractor capacity than that envisaged by the Assessor's Report for the SEP Panel into the TBHSPA, Natural England's Draft Delivery Plan (February 2007), or the Sustainability Appraisal and Habitats Regulations Assessment/Appropriate Assessment of the Secretary of State's Proposed Changes into the SEP (July 2008). Natural England has recently confirmed that it is not aware of any research papers which have been published on the effectiveness of SANGS since the SEP hearings. That work remains incomplete. Therefore, whilst the housing figures in the SEP should ultimately not be treated as an absolute maximum, the current SEP figures should not for the time being be exceeded unless it is shown through appropriate assessment that a particular proposal will have no adverse effects on the TBHSPA.

Set against the original SEP target for Hart to provide 4,400 homes from 2006-2026, as at 1 June 2013 there is an outstanding residual of 3,147 homes still to be delivered. However, there are approximately 1,851 dwellings already in the supply so the residual left to plan for is around 1,296 dwellings. Of this it is expected that 740 dwellings will be delivered through the release of land for development at Edenbrook (190) and North East Hook (550). Therefore, the balance is 556 dwellings that currently remain unallocated.

### Five Year land Supply

For Land Supply purposes, as an interim measure whilst the Council prepares a new Local Plan, the Council will only seek to deliver the housing levels as previously agreed through the SEP and its associated Appropriate Assessment. In this context the Council has a land supply of nearly 10 years.

**Table 1**

<b>220 dwellings/annum (South East Plan)</b>	At 28th June 2013	Added 5%
SEP Requirement (2006-2026)	4400	
Average annual SEP Requirement	220	
2006/07 - 2012/13 Completions	1253	
Projected Completions 13/14	244	
Requirement for remaining period (plan period up to 2026)	2903	
Annual requirement for remaining 12 year period	241.9	
Requirement for next 5 years	1210	1270.06
Expected Supply (2014/15 - 2018/19)	2347	2347.00
Surplus Supply (2014/15 - 2018/19)	1137.4	1076.94

Supply expressed in years (expected supply 2014/15 - 2018/19 divided by annual requirement for remaining 12 year period)	9.70	9.24
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### Planning Principle 4: Housing Distribution

**The Council will grant planning permission for sustainable development that accord with the general distribution pattern as set out in Table 2 providing that the total quantum of development to be provided within the TBHSPA zone of influence does not exceed 4,400 dwellings from a base date of 1<sup>st</sup> April 2006.**

This Interim Strategy is grounded firstly in seeking to maximise the opportunities for redeveloping previously developed land within existing settlements. There are opportunities to provide more homes within Fleet town centre, and there is scope to release land currently designated for employment use both within Fleet and Hook. However, such opportunities are relatively limited and it is unlikely that sufficient previously-developed land will come forward to meet the district's housing needs. Therefore the careful selection of some greenfield sites is likely to be necessary.

The strategy also allows housing in the rural areas to support the objective of a living, working countryside. It is recognised that in transport terms, rural areas are generally less sustainable than urban areas, but transport is not the only consideration. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. There remains a commitment to protecting the overall character of the villages and to ensure good design for all new development.

The characteristics of the individual towns and villages vary, reflective of the diverse nature of Hart. They are not intended to have the same amount of growth as each other; instead, the level of growth will depend on the role and function that they perform for the surrounding area, and will be related to their size, range of facilities and services as well as the availability of suitable development opportunities. Therefore, the residual requirement of 1,296 dwellings will be met in the following way:

**Approximately 740 dwellings are to be delivered at the following sites:**

- West Fleet, for approximately 190 dwellings (Planning Principle 5), and
- North East Hook, for approximately 550 dwellings (Planning Principle 6);

Both of these sites are expected to start delivering housing within five years of adoption of this Interim Strategy.

**In addition, approximately 556 dwellings will be permitted where they accord with the broad locations set out in Table 2 below.**

**Table 2**

Broad Location	Number of Dwellings
Fleet (including Church Crookham and Elvetham Heath)	356
Yateley	31

Hook	50
Hartley Wintney	48
Odiham (including North Warnborough)	83
Rural settlements and previously developed land in the countryside <sup>4</sup>	469
<b>Total</b>	<b>1037</b>

The total capacity of these settlements to accommodate additional development exceeds the residual 556 dwellings allowed under the TBHSPA constraint (Planning Principle 3: Housing Numbers). Therefore, not all the sites available for development will be released once the TBHSPA constraint on development is exceeded. Thereafter, within the TBHSPA zone of influence, no further residential development will be allowed unless it can be demonstrated through an Appropriate Assessment (applying a precautionary approach) that any greater level of development, either on its own or in combination with other plans or projects, is not likely to have a significant effect on the TBHSPA<sup>5</sup>.

### **Planning Principle 5: West Fleet – Land south of Edenbrook**

Land at West Fleet is identified as being suitable for approximately 190 dwellings, with additional land reserved for a replacement leisure centre, and public open space including sports pitches.

The development should provide:

- a) at least 6.65 hectares of land for leisure purposes which may include a replacement leisure centre, sports pitches and associated facilities;
- b) 0.75 hectares of land suitable for use as allotments;
- c) land for use as Suitable Alternative Natural Greenspace (SANG) to compensate for the loss of an area of the adjacent country park to housing.

In addition to c) mitigation of potential impacts on the Thames Basin Heaths Special Protection Area must be provided in accordance with Policy NRM6 from the South East Plan and the Council's Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area.

Development vulnerable to flood risk (as defined in the Technical Guidance to the NPPF) should be avoided outside Flood Zone 1.

The vision at this strategic site is for a recreation and leisure hub at Hitches Lane with synergies between the leisure centre and the new country park already under construction.

The proposed housing development envisaged in this Interim Strategy will encroach into land that is currently approved<sup>6</sup> as Country Park and the reservation of land for a new leisure centre will result in the loss of land currently identified for allotments. No development will be allowed to take place

<sup>4</sup> This does not necessarily preclude settlements without a settlement boundary.

<sup>5</sup> The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directive is being considered, planned or determined - Paragraph 119 of the NPPF

<sup>6</sup> Under planning permission 07/02949/MAJOR

until compensatory land for use as Suitable Alternative Natural Greenspace (SANG) and a further 0.75 hectares of land suitable for use as allotments along with any associated access, parking and water infrastructure, has been provided.

In addition to the specific provisions set out in this Interim Strategy, the development must comply with all other relevant objectives. For example, the impact of the development on infrastructure will need to be mitigated including measures to mitigate the impact of development on the local highway network, address road safety and improve accessibility by non-car transport modes, particularly to Fleet Town Centre and the railway station given the growth in housing, leisure provision and planned increases in capacity at Calthorpe Park Secondary School.

Affordable housing must be provided in accordance with adopted policy. The mix of housing should be determined in line with the most recent evidence. Mitigation of potential impacts on the Thames Basin Heaths Special Protection Area must be provided in accordance with Policy NRM6 from the SEP and the Council's Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area.

The site is immediately adjacent to the River Hart. Any development must be capable of demonstrating rigorous pollution prevention measures as outlined in the River Thames Basin Management Plan to help restore the ecological status of the River Hart. In addition, the River Hart must be provided with an appropriate buffer zone free from any development.

## Planning Principle 6: North East Hook

This site is suitable for a sustainable extension to Hook. The primary objectives are:

- a) the provision of approximately 550 new homes provided that they are adequately supported through necessary infrastructure improvements
- b) the provision of additional sports pitches for Hook, including at least 2 senior sports pitches and 1 junior pitch (or an alternative mix of pitch sizes on a comparable area), with associated changing facilities.
- c) the provision of land for a community facility (approximately 0.35 hectares) either on site of a financial contribution to the delivery of a new or enhanced facility elsewhere in Hook
- d) that the development makes a positive contribution towards the built form and is successfully integrated into the settlement pattern of Hook through:
  - the design and layout of the site;
  - connections into, and improvements to, the surrounding transport and green infrastructure networks;
  - improved links to, and enhancements within, the town centre.

Development vulnerable to flood risk (as defined in the Technical Guidance to the NPPF) should be avoided outside Flood Zone 1.

Convenience retailing will be considered suitable provided it is demonstrated that it will not harm the vitality and viability of the village centre.

Planning permission will be granted once a programme of phasing and delivery of development and infrastructure has been agreed with the Council, in partnership with the community and relevant infrastructure providers. This is to ensure that:

- the primary objectives for the site (a, b, c and d above) are delivered and that other infrastructure necessary to support the development is provided in a timely fashion including the necessary education provision arising from the needs of the development; and
- development of the whole site is phased in a comprehensive manner to avoid ad hoc, piecemeal development.

**Mitigation of potential impacts on the Thames Basin Heaths Special Protection Area must be provided in accordance with Policy NRM6 from the South East Plan and the Council's Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area.**

A sustainable extension to Hook is sought to deliver new housing, including affordable housing, and a range of recreational and community facilities delivered in conjunction with new development.

The provision of sports pitches and a community/leisure facility will be a key feature of this site to help address the sporting needs of the village. The sports pitches and changing facilities will need to be provided with the development, and land made available for a community facility which could potentially include the changing facilities needed to serve the pitches. The pitches will preferably be provided on a flat part of the site to enable flexibility over the mix of pitch sizes provided over the longer term. Financial contributions to strategic off-site leisure provision will be required in addition to the local on-site requirements.

Any development proposals will need to specifically address the following technical issues

- Highways – a study is required to assess the implications of development on the local highway network and in particular the A30, the A30 roundabout junction and approaches

from Griffin Way North. The study also needs to assess any impact upon Junction 5 of the M3.

- Foul water drainage - A sewer capacity check is required to be carried out prior to detailed design and that any proposed foul water drainage system is subject to Thames Water approval prior to detailed design.
- Surface water drainage – The implication for surface water drainage and any protection of the Whitewater River, and surface water in regard to the Dorchester Stream will need to be assessed.
- Gas Main – a high pressure gas main (Southern Gas Networks) crosses the western part of the Site. With the exception of access roads, no other development should be built over or close to this gas main unless it is fully in accordance with guidance issued by the Health and Safety Executive.

As a major extension to Hook the site must be successfully integrated with the rest of the settlement. The aim is to maintain the existing 'village feel' with a single community focussed around a single village centre. The development will therefore be expected to contribute towards measures that support the vitality and viability of the village centre, including improved transport links.

Given the size of Hook, this is a significant addition to the existing settlement and it is imperative that it is planned and delivered in a comprehensive and co-ordinated manner through partnership working between the District Council, relevant landowners/ developers/agents, Hook Parish Council and the relevant infrastructure providers.