

**Update report re APP/20/00441 – 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.**

**7 Planning Considerations**

**Submission Havant Borough Local Plan**

Since the publication of the Committee report, the Council has published the Inspector's interim findings following the Stage 1 Hearings which took place in July 2021. This is available in the Local Plan evidence base library (<https://www.havant.gov.uk/examination-library>) as document CR18. The Council's response is also available as document CR19. The letter does not set out all the Inspectors' findings on all of the issues discussed during the Stage 1 hearings, and instead focuses on areas of concern.

Of particular relevance in the determination of this application, the Inspectors highlight that further information or updates to evidence base studies are needed in relation to the deliverability of a number of housing sites which mean that the Council may not be able to meet its housing need over the plan period.

The Interim Findings Report is clear that not all of the Plan has been examined. As such, the status of this site, which is promoted as an omission site in the Local Plan Examination, still has the potential to change as the Local Plan progresses, as is highlighted in paragraphs 7.15 and 7.171 of the Planning Committee Report.

The receipt of the Interim Findings Report does not represent a change in status of the plan and the Council's response resists withdrawing the plan from examination. As such, under paragraph 48 of the National Planning Policy Framework (NPPF), the policies in the emerging Local Plan continue to be afforded limited weight. Whilst some of the emerging policies and supporting evidence may be subject to outstanding objections (and have not yet been examined), the submission plan does set out a very clear direction of travel.

Nonetheless, a result of the Inspectors' initial findings is that the Borough's five year supply has been further decreased. Paragraph 7.18 of the Planning Committee report sets out that the Borough has a 4.3 year housing land supply. As a result of the removal of some sites from supply following the Inspectors interim report, this position has fallen to 3.9 years. The Planning Policy Comments associated with the application have been updated on the case file and the Council's Five Year Supply Update will be revised in the coming days.

Paragraphs 7.187-7.191 go on to describe the tilted balance as set out in paragraph 11d of the NPPF and how this planning application must be determined under that clause. This means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The Interim Findings Report does not highlight any such adverse impacts or change the nature of the material considerations which need to be considered in the planning balance.

As the Committee is aware, a recent planning appeal was allowed relating to 'Land South of Lower Road' (Application reference [APP/19/00427](#)). Paragraphs 125-129 of the Inspectors Report specifically addressed the consideration of the tilted balance. For that scheme, there was specific harm identified to a heritage asset. Paragraph 126 highlighted that "great weight" was given to the harm to the significance of that heritage asset. However paragraph 128 then went on to state "Weighing against these negative impacts are the public benefits...in particular, the delivery of housing to address the supply shortfall...is a benefit of substantial weight".

Each planning application must of course be considered on its own merits. Nonetheless, the appeal in question gives an indication of how Planning Inspectors are likely to apply the tilted balance in any appeal situation. In particular, even when there are specific adverse impacts identified, the great weight that will be applied in any decision to the delivery of housing, given the Borough's five year supply shortfall, which has fallen further since the inquiry.

Overall, the publication of the Interim Findings Report does not affect the recommendation to grant planning permission. It does though lead to a deterioration of the five year supply position, reinforcing the need to boost housing supply in the Borough.