

# **Housing Outside Settlement Boundaries**

## **Supplementary Planning document**

**Adopted March 2023**



# Housing outside settlement boundaries Supplementary Planning document

1. Introduction
  - 1.1 A Supplementary Planning Document (SPD) elaborates upon policies in the Development Plan, which in the case of East Hampshire are the 'saved' policies in the adopted East Hampshire District Local Plan Second Review (2006), the adopted Joint Core Strategy (2014, for the period 2011-2028), and the Local Plan: Housing and Employment Allocation Plan (2016).
  - 1.2 SPDs are a material consideration in planning decisions and decision makers will use them to help determine planning applications.
  - 1.3 As SPD's do not form part of the development plan, they cannot introduce new planning policies into the development plan and should not add unnecessarily to the financial burdens that the planning system places on development.
  - 1.4 This SPD provides further guidance regarding the application of Joint Core Strategy (JCS) Policy CP10 – Spatial Strategy for Housing, adopted in 2014, and only applies to that part of the District that falls within East Hampshire Local Planning Authority area

## 2. Background

- 2.1 There are various policies in the [JCS and saved policies](#) which refer to where housing development would be considered acceptable, namely:

### JCS

- CP2 Spatial Strategy – refers to 'new development will make the best use of previously developed land and buildings within existing built-up areas'. A sustainable hierarchy of settlements is set out at Appendix 1, whereby development is required to be consistent with maintaining and enhancing their character.
- CP10 Spatial Strategy for Housing – 'should be accommodated through development and redevelopment opportunities within existing settlement policy boundaries in the first instance.'  
In addition to sites allocated to meet the housing numbers set out above, and development in accordance with Policies CP14 and CP19, housing and other small-scale development outside settlement policy boundaries will only be permitted where it:
  - meets a community need or realises local community aspirations;
  - reinforces a settlement's role and function;
  - cannot be accommodated within the built up area; and

- has been identified in an adopted Neighbourhood Plan or has clear community support as demonstrated through a process which has been agreed by the Local Planning Authority in consultation with the Parish or Town Council.
- CP14 Affordable Housing for Rural Communities, allows for residential development outside of settlement policy boundaries where this is for the purposes of affordable housing and certain conditions are met.

#### Local Plan: Second Review

- Policy H7 allows for the sub-division of properties in the countryside
- Policy H14 allows for housing for agricultural, forestry or other enterprises where the worker must live on site.

Part 2 Local Plan Housing and Employment Allocations identified various sites for either housing or employment purposes and made consequential changes to the settlement boundaries.

2.2 Other policies, however, limit new development outside defined settlement boundaries including:

- CP19 Development in the Countryside – whereby the strategy outside of settlement boundaries is to operate a policy of general constraint. However, para 79 of NPPF (2021) emphasises the need for sustainable development in rural areas and that, housing should be located where it will enhance or maintain the vitality of rural communities, and that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.
- CP22 Internationally Designated Sites – limits the extent of new housing development and requires housing proposals within 400m of the Wealden Heaths Phase II Special Protection Area (SPA) to undertake a project specific Habitats Regulation Assessment to assess the impacts of the proposal on the SPA.
- CP23 Gaps between Settlements – this policy identifies gaps between various settlements to prevent their coalescence and restricts the forms of development that would be acceptable within them, this policy does not however preclude development but that any development should not undermine the physical and/or visual separation of settlements and that the integrity of the gap is not compromised by individual or cumulative proposals.

2.3 The settlement boundaries are defined on the policies maps and indicate the extent to which each settlement should be allowed to develop and can be viewed at <http://maps.easthants.gov.uk/easthampshire.aspx?&tab=maps>

2.4 In addition to adopted planning policy, the Council has various plans and strategies that also make reference to sustainable communities and the need to

ensure objectives such as the provision of affordable housing and reduction in carbon emissions both from transport and energy use are key considerations to be applied to new developments. [East Hampshire Place Making Strategy](#) 2019 – 2036, whilst not a spatial planning document, elaborates on how the Council envisages various places functioning and evolving.

- 2.5 Following the declaration of a Climate Emergency in 2019, the Council prepared a Climate and Environment Strategy covering the period 2020 – 2025. The strategy expresses two high level objectives: to reduce carbon emissions to net-zero by 2050; and to protect and enhance the local natural environment. This will be achieved in part through minimising the climate impact of new developments through Local Plan Policies and planning decisions. In this respect the Council recently adopted (14 April 2022) a [Climate Change and Sustainable Construction SPD](#), which sets out guidance and best practice for achieving more energy efficient and sustainable development.
- 2.6 The purpose of this SPD is to elaborate upon Policy CP10 in particular the latter part of the policy which refers to development outside settlement boundaries, to enable suitable housing sites to come forward in advance of a new local plan.

### 3. Policy Context

#### National

- 3.1 National Planning Policy Framework (NPPF) 2021, establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. Notably para 9 states *Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*
- 3.2 Specifically in relation to housing delivery para 74 requires Local Planning Authorities *to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement set out in adopted policies, or against their local housing need where the strategic policies are more than five years old.*
- 3.3 National policy (paragraph 78) also applies to East Hampshire being a semi-urban/rural area and states *planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.*
- 3.4 Furthermore, paragraph 79 expands on this to refer to the location of housing to be where it will enhance or maintain the vitality of rural communities - *To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.*

## Local

- 3.5 Preparation of the East Hampshire Local Plan commenced in 2017, with commissioning of technical evidence and [two six-week consultations](#). The first was on the Draft Local Plan and ran from February until March 2019. The second consultation focussed on 10 large development sites (>600 dwellings) and ran from September to October 2019.
- 3.6 The Local Plan was progressing towards the next stage of plan-making (Regulation 19) during 2020, then various events introduced new matters to take into consideration e.g Covid 19 pandemic, Environment Act, Planning White Paper 'Planning for the Future'. As a result of this, the strategy in the emerging Local Plan is now evolving with a focus on:
- a) The mitigation of and adaptation to climate change;
  - b) Economic and social recovery from the pandemic;
  - c) Conserving and enhancing biodiversity;
  - d) Building an increased number of new homes due to the need to extend the plan period as well as higher affordability ratios, which are a key component in the Governments standard method for calculating local housing need; and
  - e) Supporting improvements to the quality and attractiveness of the built environment.
- 3.7 All of the above however, require further technical evidence and community engagement, on this basis the Council is currently re-evaluating its spatial options for growth and this will involve further consultation under Regulation 18 during 2022/2023, with submission and adoption during 2024/25.
- 3.8 Furthermore, in addition to the guidance set out in this SPD, proposals will need to comply with all other adopted planning policy and SPD requirements.

## Policy CP10 Spatial Strategy for Housing

- 3.9 East Hampshire's spatial strategy for housing is identified within Policy CP10. It recognises the housing requirement and the distribution needed to meet that requirement. The specific sites to meet this requirement were then subsequently allocated as part of the Local Plan (part 2): Housing and Employment Allocations, which was adopted in April 2016 or in 'made' Neighbourhood Plans.
- 3.10 The bulk of the housing requirements expressed in CP10 have already been delivered through site allocations and the granting of planning permissions, since adoption of the JCS. Policy CP10 sets out the other various circumstances where housing may be granted planning permission across the District. The purpose of the SPD is to simply expand on the four specific matters to be met when considering proposals outside defined settlement boundaries.
- 3.11 Development outside settlement boundaries should not be seen as an alternative to allocated sites or sites on previously developed land within boundaries where

these are available. For this part of Policy CP10 to apply all four tests must be addressed and satisfactory responses submitted to the local planning authority as part of the planning application and decision-making process.

#### CP10 SPATIAL STRATEGY FOR HOUSING

Provision is made for a minimum increase of 10,060 dwellings in the period 2011 to 2028 by means of:

1. completion of existing permissions and allocations,
2. development within the defined settlement policy boundaries of towns and villages where it is consistent with maintaining and enhancing their character and quality of life,
3. the Strategic Allocation at Whitehill & Bordon of 2,725 new dwellings over the Plan period and the remainder of the 4,000 in total beyond the Plan period (see Policy CSWB4), and
4. the allocation of sites at the most sustainable settlements to provide:

- a minimum of 700 dwellings at Alton and Horndean and Petersfield;
- a minimum of 200 dwellings at Clanfield;
- a minimum of 175 dwellings at both Liphook and Four Marks/South Medstead;
- a minimum of 150 dwellings at both Liss and Rowlands Castle;
- a minimum of 150 dwellings at other villages outside the National Park;
- a minimum of 100 dwellings at other villages in the National Park.

Sites will be identified through the Local Plan: Allocations, SDNP Local Plan or Neighbourhood Plans and settlement policy boundaries adjusted accordingly.

Housing should be accommodated through development and redevelopment opportunities within existing settlement policy boundaries in the first instance.

In addition to sites allocated to meet the housing numbers set out above, and development in accordance with Policies CP14 and CP19, housing and other small scale development outside settlement policy boundaries will only be permitted where it:

- **meets a community need or realises local community aspirations;**
- **reinforces a settlement's role and function;**
- **cannot be accommodated within the built up area; and**
- **has been identified in an adopted Neighbourhood Plan or has clear community support as demonstrated through a process which has been agreed by the Local Planning Authority in consultation with the Parish or Town Council.**

Within the South Downs National Park any housing provision should meet the needs of local communities in the National Park.

- 3.14 The following expands upon each of the four tests in bold above and sets out the Council's expectations of each and what evidence is required to be submitted to enable the Council to make a judgement as to whether to allow the proposal through the planning application process.
- 3.15 In particular, in terms of the final bullet and the need to demonstrate clear community support this will need robust and reliable evidence and the methods of engagement should be discussed and agreed with the Council beforehand. The nature and type of evidence will vary in accordance with the scale and nature of the proposal. In terms of compliance with this part of the policy this will be a matter of planning judgement. Responses submitted to the Council's planning application consultation process will also need to be considered along with evidence submitted by the applicant to determine where outstanding issues remain, reasons for any objections to the scheme and whether the consultation process undertaken by the applicant has been satisfactory.
- 3.16 A planning application should be accompanied by a clear statement that demonstrates, as applicable, how it meets all four tests.
- 3.17 Proposals for development will be considered positively in accordance with this SPD other development plan policies as appropriate.

## 1) Meets a community need or realises local community aspirations

This test has two components – either one needs to be evidenced.

It should be noted that there is potential for overlap with the final test relating to community support.

Interpretation	Application	Sources of Evidence that could demonstrate compliance (this should be the most recent data available)
<b>Meets a community need</b>		
The Council considers 'community need' being defined as that which is beneficial to the local community in terms of the accommodation type, tenure and size of dwellings being proposed.	That the proposal meets the housing need of the community of the nearest settlement to which the proposal relates.	Local housing needs surveys as part of Neighbourhood Plans or any other similar surveys to support the need for local housing  Housing and Economic Development Needs Assessment.  Housing Register  Help to buy/ First homes register
<b>Realises local community aspirations</b>		
The proposal may enable the delivery of a specific type, tenure and mix of housing identified by the local community as well as providing infrastructure; community facilities; or other improvements to enable the community to realise their local aspirations.	Neighbourhood plans and parish/village plans often articulate a vision and series of objectives for the area. These may also include more general aspirations of matters that the community wishes to address.  Many communities (town and parishes councils) have also declared climate emergencies and are keen to pursue local environmental and biodiversity improvements.	Neighbourhood Plan  Parish/village plan  Village Design Statements  <a href="#">Local Cycling and Walking Infrastructure Plan</a>  <a href="#">Community Facilities Study</a>  <a href="#">Open space, Sports and Recreation needs and opportunities assessment</a>  <a href="#">Sports Facilities Action Plan</a>



Interpretation	Application	Sources of Evidence that could demonstrate compliance (this should be the most recent data available)
		<a href="#">Playing Pitch Action Plan</a> <a href="#">Infrastructure Funding Statement</a> <a href="#">Green Infrastructure Strategy</a>

## 2) Reinforces a settlement's role and function

Interpretation	Application	Source of Evidence required to demonstrate compliance (this should be the most recent data available)
<p>This is about where the settlement to which the proposal relates, fits within the Council's settlement hierarchy (see Appendix 1) and whether the proposal will support the continuation of existing services and facilities.</p> <p>The function of a settlement is the collective impact of the services that take place and facilities that are available. This has informed the settlements position within the Council's settlement hierarchy – so in general terms the greater the variety of services and facilities the higher the position in the hierarchy.</p> <p>Para 79 of NPPF also recognises that development in one location could support</p>	<p>The proposal needs to make a positive contribution to the existing settlement (spatial) pattern of development and not lead to isolated homes in the countryside.</p> <p>The proposal should not be of a scale that fundamentally changes the role and function of the settlement to which it relates.</p> <p>The site is accessible and within reasonable walking or cycling distance to the services and facilities available.</p> <p>Consider the wider benefits of the scheme in terms of serving a cluster of smaller settlements and enabling existing facilities to continue and thrive.</p>	<a href="#">Settlement Hierarchy</a> Neighbourhood Plan Parish/village plan Settlement Character Assessments Village Design Statements <a href="#">Local Cycling and Walking Infrastructure Plan</a> <a href="#">Community Facilities Study</a> <a href="#">Open space, Sports and Recreation needs and opportunities assessment</a> <a href="#">Sports Facilities Action Plan</a> <a href="#">Playing Pitch Action Plan</a> <a href="#">Infrastructure Funding Statement</a>

Interpretation	Application	Source of Evidence required to demonstrate compliance (this should be the most recent data available)
<p>services nearby. This is particularly applicable for proposals associated with smaller villages where services and facilities in one or more is used by the others.</p> <p>Para 176 of NPPF also refers to settlements within the setting of a National Park and the need to avoid any adverse impacts.</p>	<p>Consider the impact of the proposal on the setting of the South Downs National Park.</p>	<p><a href="#">Green Infrastructure Strategy</a></p>

### 3) Cannot be accommodated within the built-up area

Interpretation	Application	Source of Evidence required to demonstrate compliance (this should be the most recent data available)
<p>The built-up area in this instance is the nearest settlement to which the proposal relates.</p>	<p>This applies to those settlements with and without a defined settlement boundary and effectively introduces a sequential approach to demonstrate the availability of sites within an existing boundary, followed by sites on the edge/adjacent before consideration of sites further away.</p> <p>An assessment covering these details will need to accompany the planning application.</p> <p>In the first instance, consideration must be given to whether there are</p>	<p><a href="#">Settlement Hierarchy</a></p> <p><a href="#">Neighbourhood Plan</a></p> <p>Parish/village plan</p> <p><a href="#">Neighbourhood Character Study</a></p> <p><a href="#">Land Availability Assessment</a></p> <p><a href="#">Brownfield Land Register</a></p> <p>Landscape Character Assessment</p>

Interpretation	Application	Source of Evidence required to demonstrate compliance (this should be the most recent data available)
	<p>any appropriate and deliverable brownfield sites that are more favourably located within the settlement closest to the proposal, in advance of considering a release of land beyond the settlement boundary. This is in accordance with CP2, which requires new development to make the best use of previously developed land within existing built-up areas.</p> <p>NPPF para 120 states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements and support the development of under-utilised land and buildings.</p> <p>Preference would be then to those sites immediately adjoining the existing settlement rather than those further away.</p> <p>In level 6<sup>1</sup> settlements where there is no defined settlement boundary, small scale infill development within an existing, well established cluster of dwellings may also be appropriate, subject to ensuring that the scale and nature of the development is commensurate with the locality.</p>	

<sup>1</sup> See Appendix 1 for the full settlement hierarchy. N.B. Lower Froyle is identified as a level 5 settlement however this should be treated for the purposes of this SPD as a level 6 settlement as it has no defined settlement boundary.

**4) Has been identified in an adopted Neighbourhood Plan or has clear community support as demonstrated through a process which has been agreed by the Local Planning Authority in consultation with the Parish or Town Council.**

This test has two components – either one needs to be evidenced.

Interpretation	Application	Source of Evidence required to demonstrate compliance (this should be the most recent data available)
<b>Has been identified in an adopted Neighbourhood Plan</b>		
There are several 'made' neighbourhood plans across the District, some of which allocate sites for development.	Sites allocated in Neighbourhood Plans should come forward in advance of any others.	<a href="#">Neighbourhood Plan</a>
<b>Has clear community support as demonstrated through a process which has been agreed by the Local Planning Authority in consultation with the Parish or Town Council.</b>		
<p>This SPD once adopted will have been through a statutory consultation process in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and therefore establishes the agreed process to be applied to applications for the release of land outside of settlement boundaries for housing purposes under Policy CP10.</p> <p>Consultation/engagement should be fit for purpose and proportionate to the scale and nature of the scheme proposed.</p>	<p>The process of engagement must be meaningful, the Council does not wish to prescribe the content or form of this engagement. The Council will however require that the following two stages of consultation have been undertaken, where the proposal is for major development or is on a sensitive site.</p> <p>For small scale developments (9 or less dwellings) stage 2 engagement that focuses on the nature and scale of the proposal including design and layout</p>	<p>Compliance with the most up to date <a href="#">Statement of Community Involvement</a></p> <p>At the outset the process of engagement to be undertaken must be agreed with EHDC.</p> <p>Community support can be evidenced through various processes: –</p> <ul style="list-style-type: none"> <li>• Focussed engagement with the community to include individuals local groups/societies parish/town council; and</li> <li>• Pre-application discussions with the community and parish/town council; and</li> </ul>

Interpretation	Application	Source of Evidence required to demonstrate compliance (this should be the most recent data available)
	<p>matters is considered acceptable.</p> <p>In all instances the engagement must also comply with the most recent version of the Council's Statement of Community Involvement.</p> <p>The methods of consultation proposed will be a matter for the applicant, however these should be discussed and agreed with the Council's Development Management Team.</p> <p><b>Stage 1: Early engagement</b> The purpose is to seek community's views on the principle of development which can also inform criteria 1-3 above in addition to identifying need and opportunities for infrastructure delivery associated with the scale of development.</p> <p><b>Stage 2: Proposal</b> Seek views on the preferred proposal on matters such as format, scale, design, layout and any proposed infrastructure or additional community facilities</p>	<ul style="list-style-type: none"> <li>• All engagement should be documented in consultation statements submitted with planning applications; and</li> <li>• Evidenced to demonstrate that issues raised through community engagement at stages 1 and 2 (as applicable) have been taken into consideration and that consequential changes have been made to proposals to the benefit of the community; and</li> <li>• Where issues have been raised but have not been addressed, a clear explanation as to the reasons why, including any alternative proposals, solutions and mitigation and the reasons for these.</li> </ul>



## Appendix 1 Settlement Hierarchy

A review and update of the settlement hierarchy for areas outside of the South Downs National Park was carried out in 2018. The review includes a background paper to explain the methods and its results can be viewed at

<https://www.easthants.gov.uk/settlement-hierarchy>

<b>Tier in Hierarchy</b>	<b>Proposed designations</b>	<b>Proposed settlements</b>
1	Town	Alton, Whitehill & Bordon
2	Large Local Service centre	Liphook, Horndean
3	Small local service centre	Holybourne, Grayshott, Headley, Rowlands Castle, Clanfield, Four Marks & South Medstead
4	Settlement with a small number of services	Lovedean, Lindford, Bentley, Kingsley, Medstead, Ropley, Catherington, Headley Down, Arford, Bramshott, Holt Pound
5	Rural settlement	Passfield Common, Ropley Dean, Bentley Station, Upper Froyle, Bentworth, Beech, Griggs Green, Lower Froyle <sup>i</sup>
6	Other settlements in the countryside	Oakhanger, Shalden, Upper Wield, Lasham

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<sup>i</sup> Lower Froyle is identified as a level 5 settlement however this should be treated for the purposes of this SPD as a level 6 settlement as it has no defined settlement boundary