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**NON EXEMPT**

## **HAVANT BOROUGH COUNCIL**

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**Operations and Place Shaping Board**

**11 December 2018**

**HAVANT BOROUGH LOCAL PLAN 2036 – DECEMBER 2018 UPDATE**  
**David Hayward (Planning Policy Manager)**

### **INFORMATION**

**Portfolio: Cabinet Lead for Communities, Development and Housing**  
**Cllr Leah Turner**

**Executive Director: Director of Operations (James Hassett)**

**Key Decision: Yes**

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### **1.0 Purpose of Report**

- 1.1. This report is to give the Operations and Place Shaping Board an update on the progress of the Havant Borough Local Plan 2036 and the next steps in the plan's production.

### **2.0 Recommendations**

- 2.1. The Operations and Place Shaping Board is recommended to:
- a) Note the progress in preparing the Havant Borough Local Plan 2036 against the Local Plan Project Plan
  - b) Note the aim for Cabinet and Council to consider the Pre-Submission Havant Borough Local Plan 2036 on 30<sup>th</sup> January 2019
  - c) Note the extremely tight timeframes involved in achieving the targeted Cabinet and Council date and the work required to meet them

### **3.0 Bringing forward the Havant Borough Local Plan 2036**

#### **Regulatory context**

- 3.1. A Local Plan is key to positively planning for the future of the Borough, making long-term decisions regarding the amount of development and where it should go. It also addresses some of the key challenges facing society and how these should be taken forward

within the Borough, such as our aging society, air quality and climate change.

- 3.2. The role of a Local Plan is set out in the Planning and Compulsory Purchase Act (hereafter referred to as The Act). The process of preparing and adopting a Local Plan is set out in the Town and Country Planning (Local Planning) (England) Regulations (hereafter referred to as The Regulations).
- 3.3. The Regulations set out the prescribed stages in preparing a Local Plan. These are broadly:
  - a) **Preparation of a Local Plan** (Regulations 18) – this sets out that Local Plans should be prepared and that stakeholders should be part of the preparation process. How, how long for and to what extent are left to the discretion of The Council. The consultations on Draft Local Plan Housing Statement and Draft Local Plan (see below) were the Council’s formal consultations under this regulation
  - b) **Publication of a Local Plan** (Regulations 19 & 20) – this sets out that before a Local Plan can be submitted to the Secretary of State, it must be published (along with all of the proposed submission documents) and a consultation must take place.
  - c) **Submission of the Local Plan to the Secretary of State** (Regulation 22) – the Council has to submit the Local Plan, its evidence base and a number of other documents to the Secretary of State for an Examination.
  - d) **The Examination** (Regulations 24 and 25) – the Secretary of State (in practice the Planning Inspectorate) will examine the plan to ensure it is legally compliant and sound. A report on these matters will then be published.
  - e) **Adoption** (Regulation 26) - If the Local Plan is legally compliant and sound (or can be made to be) then the Council can adopt it and it becomes part of the Development Plan for the area and has full weight when determining planning applications.
- 3.4. It is a requirement<sup>1</sup> for Local Planning Authorities to produce and update a Local Development Scheme (LDS). This must specify a number of matters including which Local Plan documents are being produced and the timetable for doing so.

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<sup>1</sup> Part 15 of the Planning and Compulsory Purchase Act

- 3.5. The Council's LDS is on our website at <http://www.havant.gov.uk/planning-and-environment/planning-policy/local-plan-core-strategy/local-development-scheme>. This was approved by Cabinet in December 2017 alongside the Draft Local Plan.
- 3.6. However following the most recent consultation, it was considered that the timetable in the LDS was not possible to achieve. As such, a new one was informally published as part of the Council's response to the Consultation (see below).
- 3.7. The Council's LDS will need to be updated when Cabinet and Council next consider the Local Plan. This is standard practice.

#### **Work to date**

- 3.8. The production of the Havant Borough Local Plan 2036 has been a key corporate priority for Havant Borough Council for over two years. Work by officers started on the Local Plan Housing Statement (the first stage in the plan's production) at the end of 2015.
- 3.9. The Draft Local Plan Housing Statement was then subject to public consultation in the summer of 2016. The results of the consultation were analysed and changes were proposed to the Housing Statement. The Local Plan Housing Statement was adopted by Full Council on 7<sup>th</sup> December 2016. This represented an important first stage in the preparation of the new Local Plan. However it also performs a role as a standalone Council strategy in the period up to the adoption of the Havant Borough Local Plan 2036.
- 3.10. Officers then turned attention to the production of the Draft Havant Borough Local Plan 2036, which took up most of 2017. This culminated in the approval at Cabinet to proceed with the consultation on the Draft Local Plan on 18<sup>th</sup> December 2017.
- 3.11. Consultation took place in January-February 2018. The results of that consultation were analysed and published in June 2018. This set out the areas where further work was required on possible changes to the plan and those changes where it was not considered appropriate to make changes.
- 3.12. All of this would be considered the preparation of the plan as set out in paragraph 3.3.

### **The next stage – the Pre-Submission Havant Borough Local Plan 2036**

- 3.13. The next stage in the plan's production is the 'Pre-Submission' draft of the Local Plan. It is intended that this is considered through an Extraordinary meeting of Cabinet and Council on 30<sup>th</sup> January 2019.
- 3.14. This would then result in a Pre-Submission consultation between 4<sup>th</sup> February and 18<sup>th</sup> March 2019.
- 3.15. Any delay to the Cabinet and Council meeting would mean that a consultation starting immediately afterwards would overlap with the purdah period for local government elections.

### **The challenges involved in achieving the proposed date for the Pre-Submission consultation**

- 3.16. To meet the goal set out in the published timetable requires a very significant amount of work on responding to the points raised in the 2018 consultation, engaging with key stakeholders and preparing evidence base.
- 3.17. The challenge in completing the necessary work in order for it to be able to be presented to Cabinet and Council on 30<sup>th</sup> January should not be underestimated. Officers are working to tight deadlines.
- 3.18. The Draft Local Plan was consulted on with based on the results of a large number of evidence base documents. However there are also a number of others needed before the Pre-Submission Plan can be finalised. These include the two transport assessments that are being prepared (one for the mainland and one for Hayling Island), further work regarding flood risk and a Biodiversity Strategy for the Borough to update the 2011 Biodiversity Action Plan.
- 3.19. There are also selected evidence base studies where either the need for them in their entirety was not possible to predict or it has been necessary to significantly vary the scope of the study. An example of this is air quality. This was looked at through the Partnership for Urban South Hampshire, which was entirely appropriate. However at the conclusion of this work, it was apparent that further, more detailed work at the local level was also necessary. As such, in order to stay on course for 30<sup>th</sup> January, there has had to be a single supplier based procurement exercise to commission this work. The work is underway now and is anticipated in January.
- 3.20. During 2018, Government has also updated the National Planning Policy Framework (NPPF), which sets out national policies relating to

development. This has required re-assessing the policies in the plan to make sure that they comply with any change in direction. Whilst the new NPPF did not radically differ from its predecessor, there have been areas (such as affordable housing) where changes of approach have been necessary.

- 3.21. It should also be noted that there would ultimately be a total of six consultations which take place during February-March 2019 if the Council chooses to proceed. These are:
- The Pre-Submission Local Plan
  - The Draft Community Infrastructure Levy Charging Schedule
  - A review of the Statement of Community Involvement
  - A review of the Old Bedhampton Conservation Area
  - A review of the Local List of Planning Application validation requirements
  - A focussed review of the Council's Parking Supplementary Planning Document, looking at parking standards for developments in town centres
- 3.22. There is obviously a resource implication in bringing forward multiple documents for consultation together. However most of the documents are linked. For example, following publication, the Pre-Submission Local Plan will have weight as a material consideration in determining planning applications. As such, it is sensible at that point to review the statutory list of validation requirements to make sure that applicants are required to submit the information needed to consider their applications against the new Local Plan.
- 3.23. Overall, it is necessary to keep pushing forward in order to manage the planning applications that are already with us or are likely to be in the near future. The amount of development pressure facing the Borough can be seen through the amount of public consultations being undertaken by the development industry as well as the number of Development Consultation Forums.
- 3.24. It could be that by the time the Local Plan is at Examination, a number of the sites in it are with us as planning applications. As such, if the Council does not maintain the Local Plan a key corporate priority then we may find that events overtake us.

#### **Changes to resources**

- 3.25. The officers within the Planning Policy team are preparing work to a high standard and it is considered that the team has been working efficiently in its efforts to prepare the Local Plan. Throughout the

course of preparing the Local Plan, there have been several changes to the personnel in the team. Each time that recruitment has taken place, we have been able to fill the post in question and employ high quality staff.

- 3.26. The team also use consultancy support to prepare specialist studies. This has been aided recently by access to the Regeneration Company Procurement Framework which has enabled the Council to procure a specialist transport advice quickly and at a competitive price. Please also see section 4 on additional budgetary implications.
- 3.27. It is considered that there are the necessary resources in place in order to keep pushing the Local Plan forward at this point.

### **Project planning for the work following the Pre-Submission consultation**

- 3.28. The dates following the end of the proposed Pre-Submission Consultation period are somewhat dependent on how events unfold. It is anticipated that submission to the Secretary of State would take place at the start of Q3. The uncertainty is because it is dependent on the amount of representations received during the Pre-Submission consultation. These have to be summarised and provided to the Inspector. However the Council can try and address concerns raised by stakeholders through exploring changes to the plan. This could take place collaboratively with stakeholders. Such changes would then be submitted to the Secretary of State as a 'schedule of proposed changes'.
- 3.29. As part of the 2018 National Planning Policy Framework (NPPF), it is also necessary to prepare and adopt statements of common ground with neighbouring authorities and other bodies. This process involves further discussion with those bodies and the Council is reliant on the positive involvement of such organisations.
- 3.30. Following the submission of the Local Plan to the Secretary of State for an Examination, the programme is then largely dependent on the Planning Inspectorate.
- 3.31. However it should be noted that from the date of submission, the HBLP2036 has more weight in terms of development management decisions.

### **4.0 Additional Budgetary Implications**

- 4.1. There have been budgetary implications in keeping the momentum so that 30<sup>th</sup> January is a feasible date. This has been necessary to



overcome unexpected pressures, such as the air quality report referred to above. However it has also been necessary to bring in additional consultancy support to help meet the challenging deadlines.

- 4.2. As such, the consultancy budget area for Planning Policy will overspend within this financial year. If this spend were not authorised then there would have been an inevitable delay in the production of the plan.

## **5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s**

- 5.1. The Havant Borough Local Plan is a key corporate priority. It has significant links to the published Corporate Strategy and the recently adopted Regeneration Strategy. However it is also linked to or relates in some way to a number of other strategies within the Council and partner organisations.
- 5.2. The Local Plan is physically written by the Planning Policy Team (seven officers). However most of the teams within the Council contribute to the plan in some way, often putting in significant resources, particularly in terms of personnel. As a result, it has enormous overlap with Directorate Business Plans and is an extremely collaborative project.

## **6.0 Options considered and reasons for the recommendation**

- 6.1. The Council could choose to not prepare a Local Plan. Eventually, Government would intervene and prepare the Local Plan on the Council's behalf in this situation. There would also be a vacuum of any positive strategy to determine planning applications. This would lead to 'planning by appeal' and an incoherent approach to development in the Borough.
- 6.2. The Council could also choose to not prioritise this as a piece of work. This would leave the Borough at a significant disadvantage in terms of managing the development which is inevitable and achieving the best outcomes for the Borough.

## **7.0 Resource Implications**

- 7.1. **Financial Implications** – the Local Plan does require significant resources in terms of its preparation. This is true in terms of officer time but also in terms of consultancy support. Moving into the 2019/20 year, the Council will need to budget for the examination itself.

7.2. **Human Resources Implications** – as set out above, the Local Plan is an incredibly collaborative piece of work. As such, it is impossible to accurately calculate the amount of officer hours that have gone into its preparation. However the core team is seven full time officers.

## **8.0 Legal Implications**

8.1. The preparation of a local plan is governed by a number of sets of regulations, referred to in the body of this report. As part of the Examination, the Inspector will examine whether the Council has prepared the plan in a legally compliant manner.

8.2. As such, if the Council does not fully comply with the regulations surrounding the preparation of a local plan, this could have significant implications for its adoption and implementation.

## **9.0 Risks**

9.1. If the Council chose not to prepare a Local Plan, or to not give it the focus that it has done, then there would not be a long term strategy in place to guide development, regeneration and investment in the Borough.

9.2. The backstop is that a process is now in place where if the Council does not prepare a Local Plan in a timely manner, Government can step in and prepare it for the Council. This is a situation that should be avoided and would not be likely to produce the best outcomes.

## **10.0 Consultation**

10.1. Extensive consultation has taken place to inform the Local Plan. This has included two formal consultation periods (summer 2016 and winter 2018). It has also been informed by informal engagement and discussion with a wide variety of stakeholders in between those formal periods as well.

## **11.0 Communication**

11.1. Officers strive to keep stakeholders as up to date as possible on the preparation of the Local Plan. This is largely done through email newsletters to anyone who has signed up to the Local Plan mailing list on GovDelivery.

11.2. Further communication will take place in the run up to Cabinet and Council as well as for the Pre-Submission Plan.

## **12.0 Appendices and background papers**

12.1 **Appendix 1:** Local Plan project plan

12.2 **Background Papers:** all published material regarding the Local Plan is relevant in terms of the discussion to an extent. This is all available on the Council's website at [www.havant.gov.uk/loclaplan](http://www.havant.gov.uk/loclaplan).

Agreed and signed off by:

<b>Monitoring Officer:</b>	<b>3<sup>rd</sup> December 2018</b>
<b>S151 Officer:</b>	<b>6<sup>th</sup> December 2018</b>
<b>Head of Service:</b>	<b>3<sup>rd</sup> December 2018</b>
<b>Portfolio Holder:</b>	<b>6<sup>th</sup> December 2018</b>

<b>Contact Officer:</b>	<b>David Hayward</b>
<b>Job Title:</b>	<b>Planning Policy Manager</b>
<b>Telephone:</b>	<b>023 9244 6174</b>
<b>E-Mail:</b>	<a href="mailto:david.hayward@havant.gov.uk">david.hayward@havant.gov.uk</a>

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ID	Task Mode	Task Name	Duration	Start	Finish	st Qua Feb
1		South Hampshire Spatial Position Statement - adopted	1 day	Tue 07/06/16	Tue 07/06/16	
2		Local Plan Housing Statement adopted	1 day	Mon 05/12/16	Mon 05/12/16	
3						
4		Draft Local Plan approved for consultation	1 day	Mon 18/12/17	Mon 18/12/17	
5						
6		<b>Consultation</b>				
17						
18		<b>Response analysis</b>	<b>81 days</b>	<b>Mon 05/02/18</b>	<b>Mon 28/05/18</b>	
24						
25		<b>Completed evidence base</b>	<b>348 days</b>	<b>Wed 01/03/17</b>	<b>Fri 29/06/18</b>	
26		Borough profile				
27		Gypsy, travelling and travelling showpeople assessment				
28		Hampshire LTP				
29		Town centres study				
30		Energy strategy				
31		Hayling Island travel questionnaire				
32		Landscape Capacity Study				
33		PUSH Integrated Water Management Strategy				
34		Solent Recreation Mitigation Strategy				
35		Southleigh Master Plan				
36		Windfall analysis				
37		Healthy Borough Assessment				
38		PUSH Air Quality Assessment				
39		Housing Constraints and Supply Analysis				
40		A27 feasibility				
41						
42		<b>Evidence base updates</b>	<b>161 days</b>	<b>Tue 12/06/18</b>	<b>Tue 22/01/19</b>	
43		SHLAA (2019)			Tue 22/01/19	
44		ELR	124 days	Tue 12/06/18	Fri 30/11/18	
45		IDP	161 days	Tue 12/06/18	Tue 22/01/19	
46		Local Green Space paper	129 days	Tue 12/06/18	Fri 07/12/18	
47		Local Plan & CIL viability				
48		Site Screening summary	153 days	Tue 12/06/18	Thu 10/01/19	
49						
50		<b>New evidence base</b>	<b>499 days</b>	<b>Wed 01/03/17</b>	<b>Mon 28/01/19</b>	
51		Mainland Transport Assessment	416 days	Thu 11/05/17	Thu 13/12/18	
52		Hayling Island Transport Assessment			Fri 19/01/18	
53		Air quality local work to support HRA				
54		Biodiversity Strategy	175 days	Mon 02/04/18	Fri 30/11/18	
55		Playing Pitch Strategy and Open Space Assessment	458 days	Wed 01/03/17	Fri 30/11/18	
56		EA Study of the River Ems			ASAP in 2019	
57		Strategic Flood Risk Assessment			Fri 30/11/18	
58		Intelligent Plans and Examiantions check	1 day	Mon 28/01/19	Mon 28/01/19	
59		Tourism analysis			Fri 30/11/18	
60		Solent Waders and Brent Goose Strategy			Tue 04/12/18	
61		Housing Density analysis			Fri 30/11/18	
62		PUSH Spatial Position Statement update			2019	
63						
64		<b>Regulatory assessments</b>	<b>152 days</b>	<b>Mon 25/06/18</b>	<b>Tue 22/01/19</b>	
65		Sustianability Appraisal (Reg 19)	152 days	Mon 25/06/18	Tue 22/01/19	
66		Habitats Regualtions Assessment (Reg 19)	102 days	Mon 03/09/18	Tue 22/01/19	
67		Integreated Impact Assessment (Reg 19)	102 days	Mon 03/09/18	Tue 22/01/19	
68						
69		<b>Supporting statements and reports</b>	<b>277 days</b>	<b>Mon 01/01/18</b>	<b>Tue 22/01/19</b>	
70		Site changes matrix	109 days	Thu 23/08/18	Tue 22/01/19	
71		Consultation Statement	277 days	Mon 01/01/18	Tue 22/01/19	
72		Self-assessment toolkit	277 days	Mon 01/01/18	Tue 22/01/19	
73		Duty to cooperate statement	277 days	Mon 01/01/18	Tue 22/01/19	
74		Statement of represenation procedure	277 days	Mon 01/01/18	Tue 22/01/19	
75		Complilaion of evidence base library on the web	277 days	Mon 01/01/18	Tue 22/01/19	
76		Policies map	11 days	Tue 08/01/19	Tue 22/01/19	
77						
78		<b>Member briefings</b>	<b>281 days</b>	<b>Mon 08/01/18</b>	<b>Mon 04/02/19</b>	
79		Briefing 1 - what have the reps told us + next steps	Complete			
80		Briefing 2 - District and local shopping centres, protection of employment and community facilities	Complete			
81		Briefing 3 - Density	Complete			
82		Briefing 4 - Affordable Housing	Complete			
83		Briefing 5 - Sites update	Complete			
84		Briefing 6 - Environment topics	Complete			

Project: HBLP 2036 - without Capa  
Date: Thu 06/12/18

Task		Inactive Task		Start-only	
Split		Inactive Milestone		Finish-only	
Milestone		Inactive Summary		Deadline	
Summary		Manual Task		Progress	
Project Summary		Duration-only		Manual Progress	
External Tasks		Manual Summary Rollup			
External Milestone		Manual Summary			

ID	Task Mode	Task Name	Duration	Start	Finish	st Qua Feb
85		Briefing 7 - Density 2	1 day	Fri 16/11/18	Fri 16/11/18	
86		Briefing 8 - Transport Assessments	1 day	Mon 08/01/18	Mon 08/01/18	
87		Briefing 9 - Development sites	1 day	Mon 14/01/19	Mon 14/01/19	
88		Briefing 10 - Cabinet and Council arrangements and wash up	1 day	Mon 21/01/19	Mon 21/01/19	
89		Briefing 11 - consultation arrangements	1 day	Mon 04/02/19	Mon 04/02/19	
90						
91		<b>Document production (Reg 19)</b>	<b>28 days</b>	<b>Tue 04/12/18</b>	<b>Thu 10/01/19</b>	
92		Preparation of all policies to at least first draft	Complete			
93		focus on remaining policy review sessions	Complete			
94		DM review complete	1 day	Tue 04/12/18	Tue 04/12/18	
95		Focussed review of plan by team, create questions to go through	3 days	Wed 05/12/18	Fri 07/12/18	
96		Focussed review of questions raised	1 day	Mon 10/12/18	Mon 10/12/18	
97		Review of draft plan by Cllr Turner	21 days	Tue 11/12/18	Tue 08/01/19	
98		Meeting with Cllr Turner to discuss changes	1 day	Wed 09/01/19	Wed 09/01/19	
99		Implementation of changes from Cllr Turner	2 days	Wed 09/01/19	Thu 10/01/19	
100						
101		<b>Mapping</b>	<b>38 days</b>	<b>Fri 30/11/18</b>	<b>Tue 22/01/19</b>	
102		Completion of thematic maps			Tue 04/12/18	
103		Completion of site maps			Fri 30/11/18	
104		Preparation of Policies Map workspace	26 days	Tue 04/12/18	Tue 08/01/19	
105		Preperation of Policies Map document	11 days	Tue 08/01/19	Tue 22/01/19	
106						
107		<b>Marketing</b>	<b>1 day</b>	<b>Fri 30/11/18</b>	<b>Fri 30/11/18</b>	
108		Preparation of pre-submission form	Complete			
109		Preparation of guidance to accompany pre-submission form				
110		Statement of Representations Procedure				
111		Prepare banners and other marketing/consutlation material				
112						
113		<b>Consultation arrangements</b>	<b>30 days</b>	<b>Mon 03/12/18</b>	<b>Fri 11/01/19</b>	
114		Prepare consulation plan	5 days	Mon 03/12/18	Fri 07/12/18	
115		Arrange drop ins, book venues etc	25 days	Mon 10/12/18	Fri 11/01/19	
116						
117		<b>Democratic process (Reg 19)</b>	<b>14 days?</b>	<b>Thu 10/01/19</b>	<b>Wed 30/01/19</b>	
118		Executive Board	0 days	Thu 10/01/19	Thu 10/01/19	
119		Papers for Cabinet Briefing	0 days	Thu 10/01/19	Thu 10/01/19	
120		Cabinet Briefing	0 days	Wed 16/01/19	Wed 16/01/19	
121		Papers for Cabinet/Council	0 days	Tue 22/01/19	Tue 22/01/19	
122		Extraordinary Cabinet and Council	0 days	Wed 30/01/19	Wed 30/01/19	
123						
124		<b>Reg 19 consultation and submission</b>	<b>525 days?</b>	<b>Mon 03/07/17</b>	<b>Fri 05/07/19</b>	
125		Pre-submission consultation	31 days	Mon 04/02/19	Mon 18/03/19	
126		PURDAH	31 days	Wed 20/03/19	Wed 01/05/19	
127						
128		Pre-submission consultation statement	69 days	Tue 19/03/19	Fri 21/06/19	
129		Creation and management of the Schedule of Proposed Changes	10 days	Mon 24/06/19	Fri 05/07/19	
130		Compilation of submission documents	10 days	Mon 24/06/19	Fri 05/07/19	
131		Submission	1 day	Fri 05/07/19	Fri 05/07/19	
132						
133		<b>Statements of Common Ground</b>	<b>45 days</b>	<b>Mon 03/07/17</b>	<b>Fri 01/09/17</b>	
156						
157		<b>Examination</b>	<b>85 days</b>	<b>Mon 04/11/19</b>	<b>Fri 28/02/20</b>	
158		Hearings	10 days	Mon 04/11/19	Fri 15/11/19	
159		Inspectors report	1 day	Mon 03/02/20	Mon 03/02/20	
160		Fact check	9 days	Tue 04/02/20	Fri 14/02/20	
161		Implementation of changes from Inspectors Rpt	10 days	Mon 17/02/20	Fri 28/02/20	
162		Graphic design	20 days	Mon 03/02/20	Fri 28/02/20	
163		Director briefing (exec board not necessary)	1 day	Mon 03/02/20	Mon 03/02/20	
164						
165		<b>Adoption</b>	<b>1 day</b>	<b>Wed 05/02/20</b>	<b>Wed 05/02/20</b>	
166		Member briefing - Inspectors report		February 2020		
167		Cabinet Briefing		February 2020		
168		Cabinet		February 2020		
169		Council		February 2020		
170						
171						
172						
173						
174						

Project: HBLP 2036 - without Capa  
Date: Thu 06/12/18

Task		Inactive Task		Start-only	
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External Milestone		Manual Summary			

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