

## HAVANT BOROUGH COUNCIL

At a meeting of the Planning Policy Committee held on 22 February 2022

Present

Councillor Branson (Chairman)

Councillors Payter, Milne, Scott and Turner

Other Councillors Present:

Councillor(s): Robinson, Satchwell, Bowerman and Rennie

### **11 Apologies**

Apologies for absence were received from Councillors Guest, Howard, Lloyd, Wilson and Weeks.

### **12 Minutes**

The Minutes of the meeting of the Planning Policy Committee held on 19 July 2021 were agreed as a correct record and signed by the Chairman.

### **13 Declarations of Interests**

There were no declarations of interests relating to matters on the agenda.

### **14 Update on the Examination of the Havant Borough Local Plan, Withdrawal of the Havant Borough Local Plan from Examination and Consideration of the Housing Delivery Position Statement**

The Committee considered a report updating members on the submission and examination of the Havant Borough Local Plan following the receipt of the Inspectors' Interim Findings Report regarding the Examination of the Havant Borough Local Plan.

The findings recommended a withdrawal of the local plan, which would result in a longer period before a new local plan is in place. As a result, there would also be a significant reduction in the Council's anticipated land supply which would further reduce the Council's five year housing land supply.

The Committee was addressed by:

- a Mr Whittingdon, on behalf of Land & Partners Ltd, who reiterated the issues raised in his written deputation, which supported the development of land at Long Copse Lane
- b Councillor Kennett, who:

- i raised concern that the Council had not actively pursued evidence to reduce the housing target for the area;
- ii appreciated that the Council had a number of planning applications with complex environmental issues but reminded the Committee that the Housing Minister had advised that the absence of a 5 year housing supply was not a green light for damaging development;
- iii with reference to an application to be considered by the Planning Committee on 3 February relating to the development of land adjacent to 54, Long Copse Lane, Emsworth, argued that land at Long Copse Lane was not a brownfield site but a green space; and
- iv disputed the statement made by Land and Partners Ltd relating to the findings of the recent Local Plan Inquiry in respect of the suitability of the site north of Long Copse Lane for housing.

The Committee was reminded that the planning application referred to by Councillor Kennett was not a matter for consideration by this Committee.

The officers and relevant Cabinet Lead answered questions raised by members of the Committee.

The Committee considered the report in detail together with the views raised by the deputees. The majority of the Committee considered that the most appropriate form of action to take would be to withdraw the current plan, prepare another plan for submission and adopt the Housing Delivery Statement as submitted. It was therefore

RESOLVED that Council be recommended to:

- a. Note the outcome of the examination of the Local Plan, the Inspectors Interim Findings Report (examination library document reference CR18), the response to it (CR19) and subsequent communications (CR20, CR21, CR22 and CR23);
- b. Note the correspondence between the Council Leader and the Secretary of State for Levelling Up, Housing and Communities regarding the need for the NPPF to recognise more strongly the relevance of a plan led approach to development and to not penalise communities whilst plans are being put in place (Appendix 1);
- c. Authorise the withdrawal of the Havant Borough Local Plan from Examination in line with Section 22 (1) of the Planning and Compulsory Purchase Act 2004 (as amended); Preparation of a new Local Plan and CIL Charging Schedule for Havant Borough

- d. Authorise the preparation of a Local Plan to replace the Havant Borough Local Plan (Core Strategy) and the Havant Borough Local Plan (Allocations Plan);
- e. Authorise the preparation of an updated Community Infrastructure Levy Charging Schedule for Havant Borough;
- f. Delegate authority to the Planning Policy Manager, or successor in similar or equivalent role, in discussion with the Cabinet Lead for Planning, Hayling Seafront Strategy and Coastal Management, or successor in similar or equivalent role, to prepare and publish a Local Development Scheme and keep this updated as necessary;
- g. Delegate authority to the Cabinet Lead for Planning, Hayling Seafront Strategy and Coastal Management, or successor in similar or equivalent role, to consider for approval, following scrutiny by the Planning Policy Committee, Or any future scrutiny meeting of similar or equivalent role, an update to the Hayling Island Transport Assessment, to consider the impact of development on summer traffic conditions;
- h. Note the Borough's five year supply of 3.9 years and the implications that the delay in the local plan's examination have for this issue;
- i. Approve the publication of the Housing Delivery Action Plan (Appendix 2);
- j. Adopt the Housing Delivery Position Statement (Appendix 3);
- k. Delegate authority to the Cabinet Lead for Planning, Hayling Seafront Strategy and Coastal Management, or successor in similar or equivalent role, to consider for approval, following scrutiny by the Planning Policy Committee, or any future scrutiny meeting of similar or equivalent role, updates to the Housing Delivery Position Statement; and
- l. Delegate authority to the Planning Policy Manager, or successor in similar or equivalent role, to make any necessary minor amendments to the documents listed in this report. These shall be limited to the inclusion of page numbers, a contents page, a glossary, factual updates, correction of minor errors, typographical errors and other minor changes that do not change the meaning of the material.

## **15 Community Infrastructure Levy (CIL) Spending Protocol**

The Committee considered a revised Community Infrastructure Levy Spending Protocol (as amended by a corrigendum issued prior to the meeting).

The Committee was addressed by:

Mr Bateman, who reiterated the issues raised in his written deputation;  
and

Councillor Kennett, who:

- (1) Supported the deputation made by Mr Bateman; and
- (2) Raised concern that the Forum was only made aware of the report 1½ days before the deadline for receipt of deputations

In response to the comments raised by the deputees, the officers advised that:

- (A) the CIL regulations provided that 25% of the CIL receipts from development fell due to such areas, rather than 15% where there was no neighbourhood plan. It was proposed that the original 15% of CIL receipts for the area was considered as part of the wider allocation of funds, with the uplift of 10% ringfenced specifically to the Neighbourhood Plan area;
- (B) the revised protocol proposed that in future spending of the Neighbourhood Portion would be considered on a borough-wide basis, as opposed to by smaller areas. This would enable a fairer distribution of CIL monies; and
- (C) the Forum was advised of the report as soon as it was published.

The officers and relevant Cabinet Lead answered questions raised by members of the Committee.

RESOLVED that Council be recommended to:

- a) To approve the Community Infrastructure Levy (CIL) Spending Protocol in the Appendix for use in CIL spending decisions;
- b) To grant delegated authority to the Head of Planning to amend the CIL Spending Protocol, in consultation with the Cabinet Lead for Housing, Communities & CIL (or any future Cabinet Lead responsible for Community Infrastructure Levy matters). Such changes shall be limited to
  - i. the correction of factual errors and changes necessary to accommodate national or local changes in regulations, guidance or procedures and shall not otherwise alter the meaning of the protocol;
  - ii. amending the Annual Funding Awards for the Neighbourhood Portion as set out in Part 4 of the CIL Spending Protocol where scrutiny by the Planning Policy Committee suggests this should be the case; and

- iii. Amending the branding of the Spending Protocol to align with the Council's Corporate Strategy and wider place-making and regeneration agenda and commentary within the document.
  
- c) To grant delegated authority to the Head of Planning, in consultation with the Cabinet Lead for Housing, Communities & CIL (or any future Cabinet Lead responsible for Community Infrastructure Levy matters) to prepare guidance and relevant processes for the implementation and administration of CIL spending decisions in line with the Spending Protocol;
  
- d) To grant delegated authority to the Community Infrastructure Officer/Team Leader, in consultation with the Head of Planning and the Cabinet Lead, to approve spends from the neighbourhood portion and interim Strategic CIL spends with a value of no greater than £10,000.
  
- e) To grant delegated authority to the Cabinet Lead responsible for CIL to approve interim spends greater than £10,000, in consultation with the S151 Officer, and, where the value exceeds £50,000, after consideration by the Planning Policy Committee.
  
- f) To grant delegated authority to the Community Infrastructure Officer/Team Leader, in consultation with the Head of Planning and the Cabinet Lead, to approve spends from the neighbourhood portion;
  
- g) To grant delegated authority to the Community Infrastructure Officer/Team Leader to assign available neighbourhood portion funds for 2022/23 in line with section 4.8 of the Spending Protocol

**The meeting commenced at 5.01 pm and concluded at 6.08 pm**

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**Chairman**