

HAVANT BOROUGH COUNCIL

At a meeting of the Planning Policy Committee held on 30 May 2023

Present

Councillor Patel (Chairman)

Councillors Paul Gray, Linger, Milne, Redsull, Tindall, Robinson (Cabinet Lead) and Lloyd (Cabinet Lead)

Other Councillors Present:

Councillor(s): Rason, Gray, Munday and Coates

4 Apologies for Absence

Apologies for absence were received from Councillor Kennett.

5 Minutes

RESOLVED that the minutes of the Planning Policy Committee held on 27 October 2022 and 09 November 2022 be approved as true record and signed by the Chairman.

6 Declarations of Interests

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

7 First Annual Review of Community Infrastructure Levy (CIL) Spending Protocol Review

The Committee reviewed a report which sets out Havant Borough Council's policy framework governing the spending of Community Infrastructure Levy (CIL) and how this will be used to improve and expand the Borough's infrastructure. The report looked in detail at the Neighbourhood Portion, and the system of allocation of funds since the CIL Spending Protocol was updated at Council on 16 March 2022. The report also commented on how the Emsworth Neighbourhood Forum were involved in the process for Emsworth Ward 'additional 10%', arising out of the Emsworth Neighbourhood Plan being 'made'.

In response to questions from Members of the Committee, Councillor Robinson and officers clarified that:

1. All of the parks allocated Neighbourhood CIL Funding would be inclusive and accessible.

2. Many play parks in Havant were beyond their life for children, with a large deficit in play provision, which in turn required the biggest proportion of the CIL pot.
3. A further review on the spending of the Neighbourhood Portion (NP) would be carried out in 12 months.

Members scrutinised the report and raised the following points in the discussion:

1. A geographic spread on playground refurbishment is in progress, providing much-needed refurbishment.
2. Since play areas were important for children, 50% of the funding from the NP was much needed.
3. The CIL spending proportions could be reviewed if spending experience/Council priorities changed
4. The Waterlooville Recreational Ground was well-used and could be argued that it was money well-spent.

RESOLVED that Members would

1. endorse the CIL Spending Protocol as fit for purpose in its current form with the exception of: (a) Paragraph 4.10 which should be removed (b) Note all Capital Spends need to be incorporated the Capital Programme.
2. note that a further review be carried out in March 2024 to check if the spending of the Neighbourhood Portion (NP) has become embedded within the culture of the organisation.

8 Building a Better Future Plan: Responses to the 2022 Consultation

The Committee considered a report which summarised and analysed the feedback to the 2022 consultation of the Building a Better Future Plan.

The Committee received supplementary information, circulated prior to the meeting in the form of a written deputation submitted by Councillor Rason.

The Committee was addressed by Councillor Rason, who reiterated the issues set out in her written deputation.

The officers responded to the issues raised by Councillor Rason as follows:

1. The report was not seeking a decision neither on policies within the local plan, nor on allocations which it may maintain. The report would only note the responses which had been received through the main consultation and to the call for sites.

2. A number of matters that Councillor Rason raised have been reflected in the report.
3. Appendix 2 of the report would have no planning status.
4. The local plan (including the allocations which it would contain) would be subject to future meetings of the Planning Policy Committee.
5. The local plan would naturally seek to address some of the matters raised in Councillor Rason's deputation.
6. Inappropriate development could be pushed back by having a local plan in place. The Council has more ability to shape the type and nature of development coming forward with an up-to-date local plan in place and more ability to refuse development which does not accord with the plan.

In response to questions from Members of the Committee, Councillor Lloyd and the officers stated that:

1. There was a new statement of community involvement published last September prior to the start of the consultation.
2. Residents on the housing register will not be specifically notified on the consultation of housing unless they have signed up for the local plan mailing list.
3. Government's approach to national policy would be that if the supply of housing is significantly boosted within the country, housing will then become more affordable.
4. The survey included residents who live in the Borough, and also people who work and study within the Borough.
5. The 25-54 year old age group was the most difficult group to get engagement from regarding the local plan.

Members scrutinised the report and raised the following comment in the discussion:

1. The survey was not easy to conduct, and it was directed in various methods.

RESOLVED that Members are requested to note:

1. The comments received through the consultation on the Building a Better Future Plan held between October and November 2022, set out in Appendix 1 of the report; and
2. The sites submitted as part of the Call for Sites, set out in Appendix 2 of the report.

9 Legal Agreement for Warnford Park Estate Nutrient Mitigation Scheme

The Committee considered a report that would recommend the Council to enter into a legal agreement for the Warnford Park Estate nutrient mitigation scheme to ensure an efficient approach to nutrient mitigation. This would enable developers for large scale developments in Havant Borough to access nutrient mitigation from a third party mitigation scheme, reflecting that the Council's strategic mitigation scheme at Warblington Farm would be reserved for use by smaller scale developments. The report also sought to delegate authority to enter into further legal agreements with appropriate third party mitigation schemes as they emerge onto the market.

The Committee received supplementary information, circulated prior to the meeting, which included a written deputation submitted by Councillor Kennett.

The Officers commented on the issues raised in the written deputation as follows:

1. The need for development in Havant to be nutrient neutral has been established through case law.
2. The Warnford Park Estate nutrient mitigation scheme was fully compliant with Natural England's methodology.
3. There was an established team within the partnership for South Hampshire that head up the mitigation approach.
4. The purpose of the agreement would be to ensure effective enforcement and monitoring of nitrate mitigation for developments in the Borough which use Warnford for their mitigation.
5. The agreement put in place would be considered as the most efficient and sensible way of enforcing and monitoring the mitigation at Warnford and future agreements would do the same for other nitrate mitigation schemes coming forward outside the Borough.
6. For bespoke schemes, a suitably qualified expert would be commissioned if necessary to ensure the suitability of the mitigation.

7. The recommendations would not take away the ability to comment on the use of any mitigation site in relation to any particular planning application as each individual planning application for development in the Borough would be subject to its own habitats regulation assessment.
8. Requiring committee approval before entering into every legal agreement with a third party mitigation provider would take up a lot of time and resources.

Members scrutinised the report and raised the following issues in the discussion:

1. If the Committee delegate authority to officers to enter into legal agreements with mitigation providers this would deprive members of the public from being able to comment on the proposals.
2. Since the scheme is new to the local public, communication with the public would be essential.

RESOLVED that consideration of this report be deferred to enable all Councillors, and in particular Members of this Committee to be briefed on nutrient neutrality in its entirety.

The meeting commenced at 5.00 pm and concluded at 6.53 pm

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Chairman