

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Operations and Place Shaping Board held on 28 January 2020

Present

Councillor Lloyd (Chairman)

Councillors Milne, Raines, Rennie and Mrs Robinson

Other Councillors Present:

Councillor(s): Pike and Robinson

### **44 Apologies**

Apologies were received from Councillor Carpenter.

### **45 Matters Arising**

There were no matters arising.

### **46 Declarations of Interest**

There were no declarations of interest relating to items on the agenda.

### **47 Nutrient Neutrality Update**

The Chairman introduced Councillor Rennie to the Board, and invited Councillor Robinson to sit as a guest.

The Deputy Leader of the Council and Cabinet Lead for Planning, Regeneration and Communities opened the item by explaining that the dialogue around Nutrient Neutrality would be ongoing, and whilst development in the borough had been delayed in response to the issue, it would be detrimental to delay it longer than was necessary. Dwellings had not received permission or were subject to Grampian conditions which had prohibited construction, which in turn was affecting different aspects of the community including care homes, hotels, building firms, existing and future residents.

The Deputy Leader of the Council and Cabinet Lead for Planning, Regeneration and Communities also drew specific attention to the Secretary of State letter found beginning p29 of the Supplementary which explained the planning crisis the council faced.

The representatives from Planning Policy gave a presentation. The Planning Policy Officer explained the nature of the nutrient cycle and the nine protected areas in the Solent. The Planning Policy Manager explained the current issues being affected by the undecided mitigation plan and how nutrient neutrality incentivises housebuilding on greenfield sites over brownfield sites in the

borough. They also explained that permission is only being granted at present to planning applications which accept the Grampian condition, and at the time of the meeting to officers' knowledge there had been no applications that were substantially under construction with this condition in place.

In response to questions from the Board the Deputy Leader of the Council and Cabinet Lead for Planning, Regeneration and Communities advised that:

1. there are stringent controls in farming to control the level of nitrogen put into the land e.g. through manure, and existing nitrogen in the soil may take years to get into the water;  
and
2. other applications in Portsmouth and Fareham have been pushed for decisions which have led to refusals.

In response to questions from the Board the Planning Policy Manager advised that:

- a) the Grampian condition for nutrient mitigation in planning applications was accepted completely by choice by applicants was not forced on to applicants and they are able to agree extensions of time as an alternative;
- b) the PfSH submitted the Solent LEP Prosperity Fund bid, which included a project which was being led by HBC;
- c) other local authorities placed in similar positions are at different points with their mitigation strategies, and suffer from different issues so we cannot turn to others for solid guidance;
- d) whilst not an advised course of action, the penalties for the council of approving applications and being subjected to a judicial review are unknown as the council has not undergone it at this point;  
and
- e) the position statement is a stopgap measure.

#### **48 Exclusion of the Press and Public**

It was RESOLVED that the press and public be excluded from the meeting during consideration of the remainder of the item as:

- a) It was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972; and

- b) In all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

This item was considered to be exempt under Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

#### **49 Nutrient Neutrality Update**

Having excluded the Press and Public the Committee then adjourned to ensure the room was cleared.

**The committee adjourned from 5.44pm and reconvened at 5.49pm.**

*(The remainder of this item was taken in Camera)*

**The meeting commenced at 5.01 pm and concluded at 6.52 pm**

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**Chairman**