

By email to Rt Hon Michael Gove
MP & Rt Hon Christopher Pincher
MP

Enquiries to: Elspeth Tucker
Direct line:
Email: Elspeth.Tucker@havant.gov.uk
My reference:
Your reference:
Date: 8 December 2021

Dear Mr Gove & Mr Pincher

HAVANT LOCAL PLAN

I am writing to you following the receipt of an Interim Findings Report into the Havant Borough Local Plan in order to seek your support in bringing forward a pragmatic and meaningful local plan which reflects Havant's constraints.

It is absolutely essential that a local plan is in place in Havant and indeed every local authority across the country. A local plan is fundamental in meeting the need for development and making sure that at the same time, infrastructure investment is coordinated and environmental protections are put in place. Havant is a responsible and pragmatic local planning authority. We fully acknowledge that there is a need for housing and that everywhere needs to play its part in meeting that. We are proud to support new housing schemes that meet the need for homes and have put in place innovative approaches which contribute to this, most notably our approach to 'nutrient neutrality' which was needed following case law in 2018. Our 'first of its kind' mitigation scheme at Warblington Farm was opened by Rt Hon Rebecca Pow MP, Parliamentary Under Secretary of State at DEFRA, in September 2020 and I am extremely proud to say that it has worked successfully to enable hundreds of homes since then and received national acclaim.

Havant Borough Council has been preparing the Havant Borough Local Plan since 2016. In doing so, the Council has embraced the obligations on it by Government, through the National Planning Policy Framework to aid in achieving the national target of 300,000 new homes being built per year. Through the standard method, this means 504 homes per year for the Borough.

In preparing a local plan, the Council has looked carefully at the characteristics of the borough – which are significant and wide reaching. These include various international nature conservation designations on our shores, heritage designations inland and all in a small and already built up Borough where values are far lower than our neighbours. All of this means that development is challenging and meeting the need for housing in full is extremely difficult.

The Council has recently received the Interim Findings Report of your inspectors into the Havant Borough Local Plan. This has concluded that 2,230 homes which are in our plan need to be removed from the supply. This in turn means that the plan will not be able to meet the need for housing by a wide margin.

Council officers are already speaking to our neighbours in order to explore whether any of the unmet need can be accommodated elsewhere. However due to the extensive work that has already taken place through the Partnership for South Hampshire, it is extremely unlikely that the full need for housing can be met prior to the preparation of a new Joint Strategy for the sub-region, which is in the process of being prepared.

As such, I fully expect that the Havant Borough Local Plan will be presenting a housing supply which does not meet the full need for housing. We are committed to setting out that reality in detail through constraints mapping and a thorough narrative. I am looking for your support, and the support of your inspectors, in looking at this evidence, and crucially making sure that a plan can be put in place as swiftly as possible.

Nonetheless, Havant Borough Council is also looking to bring forward sites which can be developed and overcome constraints where it is possible to do so. As a local planning authority, we are committed to bringing forward a positively prepared local plan. However it is considered appropriate for the plan to be supported by a proportionate evidence base rather than 'gold plating' the evidence requirements. Our conclusion at this point is that the level of evidence required to demonstrate deliverability is excessive. As an example, Havant Borough Council is committed to the regeneration of our two main town centres. We have a Regeneration Strategy in place, setting out the Council's ambitions and have assembled a team of dedicated, specialised officers to bring forward proposals. There are some individual schemes at an advanced stage and I'm pleased to say that the inspectors acknowledged this.

However, it is disappointing that the full level of housing for those town centres could not be included in the supply. Whilst town centre sites are more complex to bring forward to the market compared to greenfield sites, there are mechanisms to do so, including compulsory purchase and the Local Plan makes provision for this if needed. These are the most suitable, sustainable sites for development in the Borough and an ambitious strategy and planning framework is needed to bring them forward. Government have stated a clear ambition to bring forward additional brownfield development in the coming years. As Leader, I welcome and support the Prime Minister's Conference Speech that stated we need to focus on building "beautiful homes on brownfield sites" to protect greenfield sites in the South East. Our regeneration plans as set out in the Local Plan would wholeheartedly be in line with the Prime Minister's ambitions and would not have housing "just jammed in the south east".

Unfortunately, the inevitable consequence of the Inspectors Interim Findings Report is that the Borough will be subject to speculative development due to the legacy of the Dutch Case. It will not be plan led, it will not proceed with the support of communities and it will not result in coordinated infrastructure delivery. The Borough is already in receipt of such planning applications and more are expected in the coming weeks and months. This situation is due to a number of factors, including the inability of the Council to permit most housing developments for nearly 18 months due to the Dutch Case. This has resulted in a shortfall of housing delivery, which obviously has a direct impact on the Borough's Housing Delivery Test and Five Year Supply. Positively though, whilst the Dutch Case affected the Borough for nearly 18 months, the shortfall is equivalent to only 12 months of supply. Nonetheless, this effectively turns a Five Year supply requirement into a six year supply requirement – which is simply impossible to meet.

My predecessor, Cllr Michael Wilson, wrote to the Ministry of Housing, Communities and Local Government regarding this and specifically requested an extension to the transitional arrangements for the Housing Delivery Test. In the response, received on 9 March 2020, the Minister for Local Government and Homelessness stated *“We recognise that authorities may face challenges, so we will continue to monitor the impact of the Housing Delivery Test by engaging with those local authorities who are facing challenges **as it is vital that homes are built with the support of communities as part of a plan-led system**”* (my emphasis). The relaxation of the Housing Delivery Test by a one month period was clearly insufficient to reflect the scale of the issue that the Dutch Case presented or the scale of the legacy that it leaves behind. As such, it is necessary to again look at the measures needed to reflect the legacy of this wide-reaching case law. My officers can of course make available the documents and analysis required to illustrate this in detail.

I would like to specifically request that Planning Practice Guidance in relation to five year supply is updated to be clear that those local authorities affected by the Dutch Case do not need to include the shortfall of past under-delivery in five year supply calculations, even if part-way through a plan period. Such shortfalls are clearly not of a Local Planning Authorities' making but will hamper the ability to deliver plan-led development. I am also asking that the Housing Delivery Test is updated so that local authorities affected by the Dutch Case are exempted from the need to apply paragraph 11d of the NPPF for a period of five years from the receipt of Natural England guidance on the matter.

I would appreciate your comments and response on the following key questions:

- Do the Secretary of State and the Minister agree that regeneration sites such as Havant and Waterlooville town centres should maximise their development, given that they are the most sustainable kind of site?
- Do the Secretary of State and the Minister agree that getting local plans in place as swiftly as possible is a key national priority and that planning inspectors should be specifically required to work with local planning authorities to achieve this aim?
- Do the Secretary of State and Minister agree that the Planning Practice Guidance regarding the Housing Delivery Test and Five Year Supply should be amended to reflect the Dutch Case as suggested?
- Do the Secretary of State and Minister agree that local authorities such as Havant should in the future be specifically exempt from the standard method of calculating housing need or that the standard method in and of itself needs reform in order to bring in a constraints analysis into the equation?

Yours sincerely

Leader
Havant Borough Council

Copied to:

Alan Mak MP (Havant)
Flick Drummond MP (Meon Valley)