
ON-EXEMPT

HAVANT BOROUGH COUNCIL

COUNCIL

21 SEPTEMBER 2022

CONSULTATION ON THE BUILDING A BETTER FUTURE PLAN – THE NEW LOCAL PLAN FOR HAVANT BOROUGH

FOR DECISION

Portfolio Holder: Cllr Elizabeth Lloyd – Cabinet Lead for Local Plan, Environment and Water Quality

Key Decision: No

Report Number: *HBC/72/2022*

1. Purpose

- 1.1. To consider the recommendation of the Planning Policy Committee on the consultation process for the preparation of a new Local Plan. This would constitute a statutory (Regulation 18) consultation for the new Local Plan.

2. Recommendation

- 2.1. Council is recommended to:
 - a. Approve the consultation on the Building a Better Future Plan (consultation document at appendix A).
 - b. Approve the approach to consultation in line with the Consultation and Communication Plan (Appendix B)

- c. Approve the Local Development Scheme (Appendix C) for publication and delegate authority to the Planning Policy Manager¹ to keep this document updated as the plan progresses
- d. Approve the Statement of Community Involvement (Appendix D) for publication
- e. Endorse the setting up of a community representatives forum
- f. Delegate authority to the Planning Policy Manager¹ in consultation with the Cabinet Lead for Local Plan, Environment and Water Quality¹ to make any necessary amendments which arise to the consultation document (Appendix A) prior to the public consultation period.

3. Executive Summary

- 3.1. At its meeting held on 6 September 2022, the Planning Policy Committee considered the consultation process for the new Local Plan.
- 3.2. The Committee examined, via a question-and-answer session with the relevant Cabinet Lead and officers, the following aspects of the process
 1. The Council's options, if the Council considered that a proposed development did not make the most efficient use of land;
 2. The obligations relating to nutrient neutrality;
 3. Southern Water's role for the disposal of foul water and as a consultee on development proposals and the Local Plan;
 4. The performance of Southern Water and the capacity of the current foul and surface water drainage network to cope with future developments;
 5. The percentages required for affordable housing in proposed developments; and
 6. The need to differentiate between affordable housing from social housing.
- 3.3. With regard to the concerns raised about Southern Water, the Committee was advised that the Southern Water were due to attend the Council's Overview and Scrutiny Committee to discuss their performance.

¹ Or successor in similar or equivalent role

- 3.4. In response to the issues raised by members, a revised version of Appendix A is attached to this report.
- 3.5. The production of an up-to-date Local Plan is a key priority for Havant Borough Council and is related closely to a large number of themes in the Corporate Strategy. The proposed consultation is the first step in the process of the developing the new Local Plan which will be known as the Building a Better Future Plan.
- 3.6. The preparation of the new Local Plan is an opportunity to prepare a plan which reflects the significant socio-economic changes in a post pandemic society, the new duties and responsibilities the Council has under the Environment Act as well as an increased focus on the Borough's environment, reflecting the Council's Climate Change and Environment Strategy.
- 3.7. The approach to the consultation also reflects this change – focussing on key themes that the plan should address and seeking views on their prioritisation.

4. Additional Budgetary Implications

- 4.1. None.

5. Background and relationship to Corporate Strategy, Climate & Environment Strategy and/or Business Plans

- 5.1. The Local Plan remains one of the most important functions of Havant Borough Council and is highlighted as such in the Corporate Strategy 2022-25.
- 5.2. It is rare that a single council project addresses all six of the Corporate Strategy's themes, however this is the case with the local plan. It also aligns, and will act to implement, other key Council Strategies, most notably the Climate Change and Environment Strategy and the Regeneration and Economic Development Strategy.
- 5.3. The Building a Better Future Plan will be a local plan, focussing on delivery and putting in place the framework that is needed to deliver the Council's objectives on the ground.
- 5.4. Having a Local Plan brings significant benefits for everyone who lives, works or visits the borough of Havant and is essential in raising prosperity and providing a

high quality of life. Equally, it is necessary to make sure that the Local Plan is kept up-to-date and relevant in order to realise those benefits.

- 5.5. The Local Plan is also the only way in which the Council can deliver sustainable development across the borough which fulfils all three of the pillars of sustainability, protecting the borough's most cherished landscapes and providing successful communities into the future.
- 5.6. Equally without an up-to-date Local Plan in place, under the National Planning Policy Framework (NPPF), existing local policies would cease to apply and instead only the general policies in the NPPF may be used. This would lead to a substantial reduction in the level of influence which the Borough Council and communities have over future development decisions, particularly given the Council's current Housing Delivery Test measurement and lack of five year housing land supply.

Reflecting a rapidly changing world

- 5.7. The last time the Council would have undertaken a similar consultation on a local plan was in 2018. Since then the world has changed enormously. The Council last year adopted the Climate Change and Environment Strategy, a clear statement of the Borough's ambitions to achieve net zero by 2050. On 13 July, the Cabinet confirmed the priorities in this area for the current year, specifically including the local plan.
- 5.8. At the national level, the Environment Act represents a sizeable shift in the approach towards planning and the environment. Rather than simply achieving the mitigation of its impact on biodiversity, development will now need to achieve a net gain, contributing to reversing the decline in biodiversity which has been taking place in the UK over many decades. The Council has previously won national awards for its pioneering work on nutrient neutrality and is well placed to ensure that the Building a Better Future Plan takes forward this key national change.
- 5.9. The pandemic has also resulted in a re-examination of the health and wellbeing impacts of the homes residents live in. There is an opportunity to explore the quality standards for new housing, the size of dwellings, provision of outdoor spaces and their adaptability to the needs of residents as the Borough's population ages.

- 5.10. Nonetheless, there are other areas that remain issues for the Borough's local plan to address. The need for affordable housing and the amount of time that households need to wait for a suitable home remain extremely high. Private sector developments account for the vast majority of new affordable rental and intermediate homes to address the Borough's waiting list and so the higher the level of affordable housing that can be sought, the more of an impact new development can have on this issue.
- 5.11. It is also necessary for new development to address its impact on the Borough's infrastructure networks. These are already constrained and new development can lead to impacts across a wide variety of infrastructure areas. New development primarily funds new infrastructure development through the Community Infrastructure Levy (CIL). The preparation of a new CIL charging schedule was authorised on 16 March 2022 alongside the development of the new local plan and will be prepared in due course.
- 5.12. Havant is an area of comparatively low property values. The Borough's average house price is £320,228 compared to £370,058 across Hampshire and £382,791 across the south east. This means that developers will ultimately receive less income from new homes built in the Borough than elsewhere. This leaves less ability to increase the amount of provision of considerations such as low carbon design, biodiversity net gain and affordable housing set out above. As a result, any local plan the Borough puts together will ultimately need to prioritise these considerations to ensure the best possible outcome. This is proposed as the focus of the consultation, seeking views on where the Council should prioritise its focus in the new plan.

An up-to-date development strategy

- 5.13. Whilst there are a number of issues that have changed substantially in recent years, the need for housing remains high and is growing. The most sustainable places to develop are invariably brownfield sites. This is intrinsically part of the Regeneration and Economy Strategy which looks to focus significant levels of housing development around the Borough's key town centres. The Building a Better Future Plan would reflect this approach.

- 5.14. Nevertheless, Government are clear in national planning policy that a significant boost in the supply of housing is sought and this is also reflected in the Corporate Strategy through a priority to “Deliver...our housing target as set out by the Government”. Alongside every other area in the Country, every community in the Borough will need to play its part in meeting the need for housing. Whilst a plan which relied solely on brownfield development would be ideal, it will not be possible to substantially address the need for housing with brownfield sites alone.
- 5.15. In seeking to meet the need for housing, development must be sustainable, as defined by the NPPF, in order to proceed. The Borough is heavily constrained and the calculation of the need for housing is done by Government not the Council. As such, it is considered unlikely that the full need for housing will be able to be met within Havant Borough.
- 5.16. This will require the Council to work with neighbouring and nearby local authorities, under the 'duty to cooperate', in order to set out how the need for housing will be addressed overall. This will principally take place through the emerging South Hampshire Joint Strategy which will consider how to meet the collective housing need across the sub-region.

Consultation and next steps

- 5.17. At this starting point for the preparation of the Building A better Future Plan, it is appropriate to update the Council's Statement of Community Involvement. This would bring it fully up to date with the latest consultation methods and how it is proposed to engage with stakeholders moving forward, both on planning policy matters and on planning applications. The proposed Statement of Community Involvement is at Appendix D of this report.
- 5.18. Should the Full Council approve the proposed consultation, it would run for six weeks from 3 October. A consultation plan has been prepared, in line with the new Statement of Community Involvement and is at appendix B of this report. This recommends a range of online and offline engagement methods, set out more fully in section 11 of this report.
- 5.19. Following the close of the consultation, the feedback received will be reported to the Planning Policy Committee. Developing the evidence base and the plan itself

will be a priority for the officer team during 2023. As part of this, it is proposed to continue to engage with stakeholders. Key to this would be to hold regular discussions with the Borough's residents groups. This would be through a new community representatives forum. It is intended that the forum would include representatives from all of the Borough's communities, would be chaired by the relevant Cabinet Lead and would meet as necessary to discuss matters pertinent to the local plan and other related initiatives.

- 5.20. It is proposed at this point that the next formal stage in the plan's development would take place during the winter of 2023/24. This may need to be adjusted depending on the representations received during the proposed consultation and the need to adjust the approach or commission additional evidence. A Local Development Scheme is included at Appendix C alongside a proposed officer delegation in order to ensure that it is kept up to date.

6. Options considered

- 6.1. The main alternative available, would be a 'do nothing' approach of not preparing a local plan. This is not considered an appropriate option. This is principally due to the fact that development will ultimately come forward, however without a local plan there will be no coordination of development or minimum standards to achieve. Furthermore, it is likely that if the Council were intransigent in putting together a local plan, eventually the Government would intervene and put one in place regardless.
- 6.2. An alternative option to pursuing the Regulation 18 consultation would be to proceed straight to Regulation 19 publication stage of the plan preparation, indeed this was highlighted by the inspectors examining the last local plan as an option. This is not recommended. Though the regulations do not strictly prescribe that a Regulation 18 consultation should be undertaken as part of the plan, it is considered appropriate to undertake engagement to inform the plan's proposals. This would also not save any time in preparing the plan due to the need to undertake complex modelling evidence, particularly the transport assessment.

7. Resource Implications

- 7.1. Financial Implications – the preparation of Havant Borough’s new Local Plan has fed into the 2022/23 budget setting process. As the Local Plan’s preparation will span several financial years, the project plan will inform the budget setting for 2023/24 and 2024/25. This will be informed by the feedback through this consultation in terms of priorities and the evidence that would be required.

Section 151 Officer comments

Date: 19 August 2022

Costs associated with the consultation, (to date), of the Local Plan have been accounted for within the current Planning Policy budget.

Any further consultation and / or evidence requirements will be considered through the usual annual budget setting, and medium term financial strategy refresh, process.

- 7.2. Human Resources Implications - there are no additional staffing requirements specifically as a result of the proposals in this report.
- 7.3. Information Governance Implications – none.
- 7.4. Other resource implications – none.

8. Legal Implications

- 8.1. The preparation of a Local Plan is governed by the Town and Country Planning (Local Planning) (England) Regulations 2012. The proposed consultation would form a consultation under Regulation 18 of those regulations.

Deputy Monitoring Officer comments

Date: 18 August 2022

The remit of the Planning Policy Committee, and the scope of the recommendations it will make to Full Council, are set out in Part 2 of the Constitution (Section E1A paragraph 2). This report seeks approval to conduct a Regulation 18 public consultation and to take other steps/authorise publication of documents – all connected to the development of the Local Plan.

9. Risks

- 9.1. The new Local Plan will be prepared in accordance with the relevant regulations, and be underpinned by extensive evidence base and statutory assessments. As the Plan progresses towards submission and Examination, the decisions in the Plan and the evidence that it relies on will be subject to extensive scrutiny. In particular, there is a risk that any newly appointed independent Inspector would have differing views that the previous Local Plan Inspectors.

- 9.2. The Borough's Housing Delivery Test measurement and absence of an up-to-date five year housing land supply position mean that the Council is in a weakened position to defend speculative developments whilst the new Local Plan is in production.

10. Climate & Environment Implications

- 10.1. The Building a Better Future Plan and the Climate Change and Environment Plan are intrinsically linked. At its meeting of 13 July 2022, the Cabinet endorsed five priorities for the current year. This includes *“Incorporating policies within Havant Borough Council's revised Local Plan to ensure energy hierarchies and energy efficiencies are delivered for development in new housing in the Borough. (B2)”*
- 10.2. This consultation will go a significant way in achieving this priority. The consultation document contains a specific section on climate change and seeks views on what the local plan policy should be.

11. Consultation

- 11.1. If the Full Council choose to approve the Local Plan consultation document for consultation this would start on 3 October and last for six weeks.
- 11.2. Planning is an emotive subject and local plans invariably propose a large degree of change. As a result, a proactive communications and consultation plan has been put together. This is attached to this report at Appendix B.
- 11.3. The consultation plan includes a number of online and offline consultation methods, in order to ensure that a wide range of stakeholders are engaged in the preparation of the plan:

- i. A short leaflet which introduces local communities and developers to the new Local Plan and explains how they can be engaged in the consultation for the Building a Better Future Plan
- ii. Public exhibitions across the borough to allow stakeholders to discuss the consultation with the officer team and ask any questions
- iii. Online survey with paper copies provided on request
- iv. Specific notifications for those who have signed up to receive them
- v. A Call for Sites to provide landowners/developers with an opportunity to tell us about any potentially suitable sites which have not previously been considered through the Local Plan process

12. Communication

- 12.1. There will be extensive communication with stakeholders through the preparation of Building a Better Future: Havant Borough's Local Plan, both within formal consultation periods and on a more informal basis.

13. Appendices

- 13.1. Appendix A – Building a Better Future Plan consultation document
Appendix B – Consultation and Communication Plan
Appendix C – Local Development Scheme
Appendix D – Statement of Community Involvement

14. Background papers

- 14.1. None.

Agreed and signed off by:

Portfolio Holder: Cllr Elizabeth Lloyd (Cabinet Lead for The Local Plan, Climate Change & Environment plus Water Quality – 19/08/2022)

Director: Simon Rowberry (Interim Executive Head of Place – 18/08/2022)

Monitoring Officer: Alan Harrison (Deputy Monitoring Officer – 18/08/2022)

Section 151 Officer: Malcolm Coe (Chief Finance Officer) – 19/08/2022

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