

Cabinet Lead for Planning, Environment Health, Climate Change inc.

Water Quality - Councillor Elizabeth Lloyd

1. Local Plan

- 1.1. At the national level, the Levelling Up and Regeneration Act was given Royal Assent on 26 October. This Act introduces wide-ranging reforms to the national planning system, however most of these will not come into force immediately as they are subject to associated secondary legislation and/or national policy changes. Just before Christmas Government published revisions to the National Planning Policy Framework which, at the time of writing, Officers are considering the implications.
- 1.2. At the sub-regional level, the Partnership for South Hampshire (PfSH) Joint Committee approved the new Spatial Position Statement between the PfSH authorities on 6th December. This sets out guiding principles for local plans coming forward within the sub-region and how we will work collaboratively to address cross-boundary issues, including meeting the need for development.
- 1.3. Building on the contents of the Spatial Position Statement, a series of statements of common ground between the Council and our neighbours and other local authorities within the housing market area will be needed. This will set out in detail the precise way that authorities are addressing strategic, cross-boundary issues in preparing respective local plans.
- 1.4. A refreshed Local Development Scheme has also been published which sets out how our emerging Building a Better Future Plan will be prepared. The Levelling Up and Regeneration Act will fundamentally change a number of parts of the country's planning system, which are critical to developing the Local Plan. However as noted above, these have not been introduced and for a number of them, we do not yet have the detailed policy proposals.
- 1.5. An extensive amount of studies and information are currently being prepared on a wide variety of subjects. We will now be using this

evidence base, together with the detailed comments we received last year, to prepare a draft of the Building a Better Future Plan. This draft plan will include detailed policy proposals on issues such as biodiversity, climate change, flood risk, infrastructure, regeneration and the other matters we consulted on last year. Following a robust assessment process, it will also contain details of the development sites which could form part of the eventual plan.

- 1.6. A wide-reaching consultation will be put into place in the Autumn of 2024, which will give residents, businesses and other stakeholders the opportunity to feed back on the detailed policy proposals in the draft plan. Those who have signed up to receive news and updates about the new plan, will automatically be notified when the consultation starts. In the meantime, please encourage your friends and neighbours to sign up for updates as well.
- 1.7. There is more detail about the timetable for the plan's preparation in the updated Local Development Scheme, which is available on the Council's website.

2. Natural Environmental improvements

- 2.1. 900 trees to be planted at Hooks Lane site, to help with site security in February 2024. Looking at all of our sites with members and first site that will be planted is Barton's' Triangle, in February 2024.
- 2.2. Now up to 40 Volunteer groups work on our land. A workshop for these groups is being held on Monday 8th January to support biodiversity uplift across the Borough.
- 2.3. Plans being drawn up to plant a Miyawaki Forest. Research has found that these forests have a much greater biodiversity and are particularly attractive for fungi and invertebrates.
- 2.4. We are working with residents to take on pieces of HBC land under management plans to enhance their area. Already, two new residents' groups have just signed agreements to enhance biodiversity of the Borough.

3. Development Management

3.1 Workloads and Performance

The Planner publication has reported that nationally, planning application submissions have continued to fall below the levels of 2022 – with a 12 per cent reduction in submissions across England during the period July – September 2023, compared with the corresponding period in 2022.

The team continues to maintain a high level of application performance, with all categories of planning application (major, minor and other) being determined at rates better than the Government's standards during Q1 and Q2 of 2023/24.

Pre-application numbers are running at a high level – with 550 enquiries of all types received by the team during Q1 and Q2 of 2023/24.

3.2 Casework

A large number of significant planning applications remain under consideration by the team. These include many cases where technical issues and/or S106 negotiations are prolonging the time being taken to reach a decision in order to ensure that high quality development is delivered, which meets its infrastructure requirements.

These cases include Cabbagefield Row, Leigh Park (150 dwellings); Land north of Long Copse Lane, Emsworth (210 dwellings); Land east of St George's Avenue, Havant (184 dwellings); Southleigh Park House, Havant (reserved matters application for 41 dwellings); Southmere Field, Havant (65 dwellings); Rook Farm, Hayling Island (300 dwellings); Land rear of Fathoms Reach, Hayling Island (51 dwellings); South Downs College, Purbrook (102 dwellings); Land north of The Oysters, Hayling Island (29 dwellings); Land south of Saltmarsh Lane, Hayling Island (60 dwellings); Land at Kingscroft Farm, Havant (140 dwellings); Former Dairy Crest Depot, Leigh Park (74 dwellings); Land at Palk Road, Havant (90 dwellings); the 'Blue Star land', Waterlooville (90 dwellings); and the Campdown site, east of College Road, Purbrook (628 dwellings, community centre and allotments) - totalling 2,214 new homes and facilities.

4. Planning Enforcement

- 4.1. Now the service is fully staffed the team have been able to make progress against existing caseload. This includes taking enforcement action on several developments in the Borough.

- 4.2. Since October the team have made considerable progress to reduce the backlog from 106 applications to 70. We anticipate this continuing to drop before levelling off.
- 4.3. Officers will be providing Members of Overview and Scrutiny with a detailed overview of the Council's Enforcement service in January 2024.

5. Planning Policy

Following the recent publication of a suite of Regulations stemming from the Environment Act 2021, mandatory Biodiversity Net Gain (BNG) will come into force in a phased manner in 2024. In January (exact date TBC) BNG will apply to certain 'major' developments, followed in April (date TBC) by BNG for smaller sites. Detailed guidance for developers and LPAs has recently been issued by central government, and further details are expected again soon. BNG is a fundamental shift in the way biodiversity is addressed in the planning system and presents both opportunities and challenges. The Planning Policy team are investigating software packages to assist with the BNG process, are providing training for planning and other colleagues, are developing guidance for applicants and are working with colleagues to examine BNG opportunities on HBC land.

6. Environmental Health

- 6.1. The service continues to receive a number of XL Bully dogs that have been abandoned ahead of the requirement for all XL bullies to be registered and subsequently banned. This is placing pressure on the service for kennelling capacity, safety for staff and expenses to euthanise the animals (once they become property of the Council after 7 days).
- 6.2. Recruitment of vacant posts continues, with a further two posts now filled and commenced. However, there are still several vacancies across the service.

7. Licensing

- 7.1. On the evening of 12th December, the Licensing Team partnered with Hampshire Constabulary and Portsmouth City Council to undertake a series of vehicle compliance checks around the Borough. The operation involved licensing officers, crewed with police officers, proactively stopping licensed hackney carriages and private hire vehicles and undertaking a comprehensive inspection of the vehicle. Police colleagues assisted by verifying driving licence, MOT, insurance and tax details. The operation resulted in multiple Havant and Portsmouth licensed vehicles being stopped and checked, with some required to report to the Council to demonstrate that issues have been rectified, and some had their licences suspended due to the vehicle not being fit and proper.

The team intend to run a similar operation in January 2024 in Havant, and another in the Portsmouth area in the Spring.

8. Building Control

- 8.1. Due to staffing issues the service has had to deprioritise some areas of non-essential work such as the digitisation of remaining files and training and development. However, all core statutory work is being undertaken and achieving target.
- 8.2. As identified in the previous report, all Building Control Surveyors who practice 'restricted activities' need to register on the new mandatory register of Building Inspectors held by the Building Safety Regulator. If they have not registered by 1st April 2024 they will be unable to practice restricted activities independently.
- 8.3. Since the last report, the full definition of 'restricted activities' and 'restricted functions' has now been published and essentially covers the core work that a Building Control Surveyor does (plan checking and site inspections and giving advice on issue of most notices such as approvals, rejections, completion certificates, enforcement).

Carrying out this work without being registered will be a criminal activity from April 2024.

- 8.4. All Surveyors in the team, except one who is off due to illness, have begun the process of registering with the Building Safety Regulator. As explained in the previous report this involves demonstrating competence through a test or interview process.
- 8.5. There is a fundamental risk to service delivery if not enough Building Control Surveyors achieve registration by the April deadline as those Surveyors, until registered, will not be able to carry out 'restricted activities' without supervision.
- 8.6. Should it come to pass that not enough Surveyors are registered at the appropriate level by the April deadline, mitigation measures are being put into place to ensure that the service is able to continue operating and fulfil its statutory function until a sufficient number of Surveyors are registered. These mitigations include working with other Councils to provide the necessary temporary support.
- 8.7. The Service continues to prepare for the new Operational Rules and Data Reporting requirements for Building Control which will come into place on 1st April 2024. The Council are still awaiting updates from its software supplier to ensure it can comply with the new rules and data reporting requirements.

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