

By email to Jonathan Manning BSc  
(Hons) MA MRTPI and Thomas  
Hatfield BA (Hons) MA MRTPI  
through the Programme Officer

**Enquiries to:** David Hayward  
**Direct line:**  
**Email:** [david.hayward@havant.gov.uk](mailto:david.hayward@havant.gov.uk)  
**My reference:** CR22  
**Your reference:**  
**Date:** 17 December 2021

Dear Mr Manning & Mr Hatfield

## **FURTHER CLARIFICATIONS REGARDING THE INTERIM FINDINGS REPORT**

1. Thank you for your recent clarification letter, which has been added to the examination library with the reference CR21. This final response letter will be added to the Examination Library with the reference CR22 and is once again provided following extensive discussion with the Council's Cabinet, Chief Executive and Directors.
2. The Council needs to draw the discussion regarding the way forward with the examination to a conclusion. To be clear the council's position is to deliver an up-to-date sound local plan as swiftly as possible.
3. Following receipt of your letters we have undertaken a project planning exercise to understand the timeframes for both withdrawal of the plan and, alternatively, the further work which is required to make it sound. This exercise clearly indicates that the Council is likely to secure adoption of a local plan more swiftly by completing the examination rather than embarking upon a new plan. Appendix 1 to this letter sets out how we have arrived at this conclusion. We are confident it is broadly correct. In summary, if the plan is withdrawn the earliest a new plan could be submitted for its examination is May 2023. In contrast, we believe it would be possible to address the concerns raised through CR18 and continue the examination by October 2022, or (at latest) by January 2023.
4. Withdrawal would also carry the risk that national policy might change during the preparation of a new plan which might require key components to be reworked or demand additional evidence or analysis. A plan at examination typically benefits from transitional arrangements, as is the case with the July 2021 NPPF. In any event, the evidence base would become older and potentially more unreliable. There is a real risk of the need for much more re-work than is likely to be required to make the submitted plan sound.
5. In contrast, it is considered possible to provide you with the information that you have requested under this examination by between October 2022 and January 2023. This would result in reaching an equivalent stage in the examination process several months prior to a withdrawal scenario.

6. For the above reasons, we do not believe the withdrawal of the submitted plan would be the quickest way to get an up-to-date local plan in place.
7. In paragraph 5 of letter CR19 we informed you that planning applications representing more than 1000 homes are currently being considered with many more in the pre-application stage. This elevates the need for the adoption of a local plan at the earliest possible opportunity. The Borough needs a positive planning framework without delay. If the plan is withdrawn it is bound to extend and increase uncertainty, frustrating housing delivery and economic growth. We know that this scenario would trouble the Secretary of State. We wish to avoid it.
8. A submitted plan does carry limited weight in development management decisions. Whilst not a perfect situation, having a plan at an advanced stage of preparation does afford a policy framework to determine those planning applications. In contrast, a withdrawal of the local plan creates a policy vacuum. Whilst the Council is exploring other mechanisms, such as a position statement on housing, this would not be the equivalent of a submitted local plan.
9. For these reasons the Council cannot see how withdrawing the local plan will be the most appropriate way to achieve the Government's aim of sustainable, plan-led housing and economic growth taking place. The Council cannot see what procedural difficulties there would be in making the changes needed to respond to your concerns – there are many examinations which have resulted in extensive updates to the submitted plan and its evidence base, some of which also took a great deal of time to undertake.
10. As previously stated, in the Council's previous letter (CR19), we are willing to explore all means to achieving a sound and legally compliant local plan. This could include a requirement to immediately review the plan upon adoption, taking the Partnership for South Hampshire's Joint Strategy into account. Furthermore, the Council would be willing to boost housing supply by developing a criteria-based policy to assess sites where the principle of development is not clearly established by other policies in the plan; again this would be far better than extending the duration of the existing development policy vacuum.
11. The Council has also carefully considered what a new plan might look like. Unless and until more detailed sub-regional work begins to bear fruit and perhaps open up different sustainable development strategies the reality is a "new plan" would be likely to be substantially the same as the submitted plan, albeit updated in the manner contemplated if a further regulation 19 consultation is carried out on the submitted plan. That being so, we do not believe there would be any merit in starting again. The process might appear tidier to begin with, but it is in the nature of such projects that complications arise along the way, and having regard to the complex, constrained planning environment which prevails in the Borough, and the risk of shifts in national policy it cannot be assumed that a new plan would progress more smoothly and quickly to adoption than the submitted plan.
12. Therefore, the Council's clear view is that it wishes to move forward with the adoption of the submitted plan. We ask that you explicitly confirm you will continue to work with us to find solutions and changes to the plan to make it sound. We will continue to push forward with the local plan's examination unless you set out valid reasons why the plan cannot be made sound. In our view, the way to achieve that objective is to suspend the examination until October 2022 and to reconvene the hearings at that time.

13. As well as this matter of principle, there are two matters of detail where clarification would be very helpful.

#### **Hayling Island Transport Assessment – Further Work**

14. Your letter containing the Interim Findings (CD18) and the more recent clarification letter (CR21) set out the need for additional work to examine the impact of development proposed in the local plan during peak tourist traffic conditions on Hayling Island and in Langstone. Havant Borough Council has commissioned Campbell Reith to undertake the additional work and they have produced a note setting out their proposed methodology (attached). The Council would be grateful if you could review the proposed methodology and advise whether the scope of the work would be sufficient to address your concerns. We are also consulting Hampshire County Council on the proposed methodology at this point as well. Please could you let us know if there are any amendments that you would suggest should be made to the methodology to deal with the issues you have raised.
15. Please could you provide any further information about the information and assurances sought through in paragraph 13 of CR21. Any further guidance about the information you have suggested is needed on this point would be helpful, particularly if it would result in changes to the methodology.

#### **Rook Farm Access**

16. Linked to the above, the Council notes that in your Interim Findings (CR18) the only references to Policy H27 - Rook Farm - were in relation to the provision of mitigation land for SPA mitigation. I would be grateful if you could advise whether this means that you were satisfied with the case the Council presented in relation to the proposed access from Lulworth Close, or whether you concur with the case presented by Gladman for the access should be from St. Mary's Road. Your comments on this issue will assist the Council in determining where the access to the highway network for this site should be. This in turn will help the Council to proceed with the proposed work on the Hayling Island Transport Assessment and, in the fullness of time, the allocation.
17. The Council would appreciate a response to the matters raised in this letter, particularly whether it would be possible to make recommendations to secure the plan's soundness, by 14<sup>th</sup> January 2022.

Yours sincerely

*David Hayward*

Planning Policy Manager

## Appendix 1 – project planning

The project planning described in the body of this letter is set out in more detail through tables 1, 2 and 3 below. This is presented at a mid-level of detail, showing the individual workstreams, though not specific tasks under each one.

It is considered that there are three broad scenarios for a way forward to an up-to-date local plan being adopted for the Borough:

- 1) To withdraw the Havant Borough Local Plan from examination and prepare a new local plan for the Borough.
- 2) To take the time to address the various concerns set out in CR18 before undertaking an additional consultation on the basis of Regulation 19. In this scenario, the modelling on the summertime Hayling Island Transport Assessment (see below) shows that further consideration is needed of transport mitigation measures
- 3) To take the time to address the various concerns set out in CR18 before undertaking an additional consultation on the basis of Regulation 19. In this scenario, the modelling on the summertime Hayling Island Transport Assessment (see below) shows that further consideration is not needed of transport mitigation measures

Scenario 1 is inevitably a lengthy process as it would involve starting a new plan. This would necessitate returning to the Regulation 18 stage, ensuring a number of steps need to be taken which cannot take place simultaneously. It is considered that a new local plan could be submitted for examination by May 2023.

Please note that tables 1-3 assume that at all points, the relevant approvals of the Council's Planning Policy Committee, Full Council or other decision making takes place. This assumption is made for project planning purposes and in no way pre-determines the consideration of the local plan by those meetings or how decisions are made.

**Table 1: withdrawal scenario**

<b>Task</b>	<b>Number of days to complete</b>	<b>Start date</b>	<b>Finish date</b>
Withdrawal of Havant Borough Local Plan	1 day	Wed 16/03/22	Wed 16/03/22
Approval of Regulation 18 consultation	1 day	Fri 01/07/22	Fri 01/07/22
Regulation 18 consultation period	30 days	Mon 04/07/22	Fri 12/08/22
Analysis of consultation representations	25 days	Mon 15/08/22	Fri 16/09/22
Preparation of Regulation 19 plan	100 days	Mon 19/09/22	Fri 03/02/23
Planning Policy Committee meeting to consider the Regulation 19 plan	5 days	Mon 06/02/23	Fri 10/02/23
Full Council meeting to consider Reg 19 plan	5 days	Mon 13/02/23	Fri 17/02/23
Regulation 19 consultation	35 days	Mon 20/02/23	Fri 07/04/23
Analysis of representations made and compilation of submission documents	30 days	Mon 10/04/23	Fri 19/05/23
Submission of new plan to Secretary of State	0 days	Fri 19/05/23	Fri 19/05/23

**Table 2: suspension scenario where further consideration is needed of transport mitigation measures through the Hayling Island Transport Assessment**

<b>Task</b>	<b>Number of days to complete</b>	<b>Start date</b>	<b>Finish date</b>
Full Council decision to seek suspension of the examination	1 day	Wed 16/03/22	Wed 16/03/22
Hayling Island Transport Assessment Summer Traffic Addendum - phase 1 (summertime modelling using existing mitigation package)	111 days	Mon 01/11/21	Mon 04/04/22
Hayling Island Transport Assessment Summer Traffic Addendum - phase 2 (consideration of amended mitigation package and re-run of modelling)	111 days	Wed 06/04/22	Wed 07/09/22
Approval of Hayling Island Transport Assessment Summer Traffic Addendum	0 days	Wed 07/09/22	Wed 07/09/22
Assessment of further information provided by site promoters of Rook Farm and Campdown sites related to HRA mitigation (both sites) and heritage (Campdown)	121 days	Thu 09/12/21	Thu 26/05/22
Development, submission, and assessment of further information regarding flood risk for Hayling Island regeneration sites	149 days	Tue 04/01/22	Fri 29/07/22
Development, submission, and assessment of further information regarding delivery of Havant and Waterlooville Town Centre sites	149 days	Tue 04/01/22	Fri 29/07/22
Review site delivery outputs and develop changes to the submission plan	10 days	Mon 01/08/22	Fri 12/08/22
Partnership for South Hampshire (PfSH) Joint Committee decision to revise Statement of Common Ground with PfSH authorities	0 days	Mon 28/03/22	Mon 28/03/22
Update bilateral Statements of Common Ground with relevant local authorities	59 days	Tue 04/01/22	Fri 25/03/22
Summarise duty to cooperate discussions into a document	5 days	Mon 28/03/22	Fri 01/04/22
Preparation of updated local plan	199 days	Tue 04/01/22	Fri 07/10/22
Planning Policy Committee meeting to consider the updated local plan	5 days	Mon 10/10/22	Fri 14/10/22
Full Council meeting to consider updated local plan	5 days	Mon 17/10/22	Fri 21/10/22
Consultation on updated local plan on same basis as Regulation 19	30 days	Mon 24/10/22	Fri 02/12/22
Analysis of representations made and compilation of submission documents	35 days	Mon 05/12/22	Fri 20/01/23
Submission of updated local plan, evidence base and other documents to inspectors	0 days	Fri 20/01/23	Fri 20/01/23

**Table 3: suspension scenario where further consideration is not needed of transport mitigation measures through the Hayling Island Transport Assessment**

<b>Task</b>	<b>Number of days to complete</b>	<b>Start date</b>	<b>Finish date</b>
Full Council decision to seek suspension of the examination	1 day	Wed 16/03/22	Wed 16/03/22
Hayling Island Transport Assessment Summer Traffic Addendum - phase 1 (summertime modelling using existing mitigation package)	111 days	Mon 01/11/21	Tue 05/04/22
Approval of Hayling Island Transport Assessment Summer Traffic Addendum	0 days	Wed 06/07/22	Wed 06/07/22
Assessment of further information provided by site promoters of Rook Farm and Campdown sites related to HRA mitigation (both sites) and heritage (Campdown)	121 days	Thu 09/12/21	Thu 26/05/22
Development, submission, and assessment of further information regarding flood risk for Hayling Island regeneration sites	149 days	Tue 04/01/22	Fri 29/07/22
Development, submission, and assessment of further information regarding delivery of Havant and Waterlooville Town Centre sites	149 days	Tue 04/01/22	Fri 29/07/22
Review site delivery outputs and develop changes to the submission plan	10 days	Mon 01/08/22	Fri 12/08/22
Joint Committee decision to revise Statement of Common Ground with PFSH authorities	0 days	Mon 28/03/22	Mon 28/03/22
Update bilateral Statements of Common Ground with relevant local authorities	60 days	Tue 04/01/22	Sun 27/03/22
Summarise duty to cooperate discussions into a document	5 days	Mon 28/03/22	Fri 01/04/22
Preparation of updated local plan	144 days	Tue 04/01/22	Fri 22/07/22
Planning Policy Committee meeting to consider the updated local plan	5 days	Mon 25/07/22	Fri 29/07/22
Full Council meeting to consider updated local plan	5 days	Mon 01/08/22	Fri 05/08/22
Consultation on updated local plan on same basis as Regulation 19	30 days	Mon 08/08/22	Fri 16/09/22
Analysis of representations made and compilation of submission documents	30 days	Mon 19/09/22	Fri 28/10/22
Submission of updated local plan, evidence base and other documents to inspectors	0 days	Fri 28/10/22	Fri 28/10/22