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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
My reference: CR08
Your reference:
Date: 15 April 2021

Dear Mr Manning & Mr Hatfield

RE: Response to Inspector's third letter (ID-03)

1. Thank you for your recent letter (your reference ID-03). This has been saved in the examination library with the reference CR06. It is encouraging that the examination is progressing in a timely manner. For ease and clarity, the questions in your letter have been used as headings (in **bold** for the main heading and ***bold italic*** for the substantive question) with the Council's response below each one. There are some additional matters that I would like to bring to your attention, which are set out after the responses to the questions.

Legal Compliance - Sustainability Appraisal (SA)

The SA of the Plan 2019 (Ref CD10) at Chapter 3 discusses a range of options/reasonable alternatives for meeting housing need. However, there does not appear to be any commentary on reasonable alternatives considered or appraised for the other policies in the Plan within the SA or its two addendums (CD11 and CD12). We would like to understand if the Council has considered reasonable alternatives for the other policies in the Plan and if not, whether in the Council's view, this raises any legal compliance or soundness issues.

2. The Council confirms that the explicit discussion of alternatives within the suite of SA reports (CD10, CD11, CD12) is focussed on the development strategy considered in order to meet housing need, in chapter 3 of CD10.
3. The preferred option informed the development strategy that was pursued in the Local Plan. The policies in the plan which deliver that strategy fall broadly into two categories – site allocations and topic policies.
4. In relation to site allocations, the Council is content with its approach to sustainability appraisal.
5. The Council's assessment work focussed on assessing the merits and the sustainability impacts of each potential allocation site. These assessments were informed by the site screening work (EB44) and were recorded in the Strategic Flood Risk Assessment (EB33),

and the SHLAA (EB42). The Summary of Allocation Methodology (EB43) explains the relationship between the assessments. The substantive SA report (CD10), in paragraphs 4.8 – 4.9 flags that it provides a form of umbrella report, drawing from other evidence and assessments.

6. The Council confirms that the SA for the Local Plan did not assess potential allocations sites against each other to determine the best alternatives. This is because in order to meet development needs in line with the preferred strategy, the Council knew that it would have to propose for allocation all sites it considered available and suitable for sustainable development. As such the only alternatives would have been to consider allocating sites which were unavailable or unsustainable, and this would not have been considered a suitable alternative.
7. With regard to the topic policies, the Council is also content with the way the SA was carried out.
8. The RTPI Practice Advice on SEA (2018) is clear that it is not necessary to assess alternatives on every plan issue. SA is not expected to assess alternatives that are not alternatives under genuine consideration, such as having a flood risk policy that does not align with national guidance, or a policy on the level of affordable housing that would be unviable. The content of the draft policies was determined by the NPPF and its guidance on what Local Plans should address, as well as the Local Plan's locally specific evidence base. While detailed alternatives for topic policies were therefore not assessed against each other, the SA process was used to check the sustainability effects of the draft policies, and refine them where necessary. The SA tables for each policy document this assessment in the SA report (CD10). The report also explains the evolution of the policy, thereby covering alternative versions as the policy developed.
9. Similarly, later SA reports (CD11 and CD12) were prepared to check the sustainability of the changes to the plan. At this stage, the development strategy was well developed and only changes to a limited number of policies were being considered to address comments received at the 2019 Regulation 19 consultation, together with necessary updates to policies, with no real alternatives being considered. For example, the new policy to address water quality impact on the protected sites had to be included and the content was determined by the evidence base and collaborative working with Natural England.
10. Overall, the Council considers that the alternatives explicitly considered in the SA report were the only ones that it was meaningful to assess and record. All the policies in the Local Plan have been fully assessed for their sustainability impact and improved as a result of these assessments. That process is documented in the suite of SA reports (CD10-CD12).
11. The Council considers that the process helped to produce a sound plan and is legally compliant.

Housing Land Supply - Policy KP5, Policy IN2 and Allocation C9

We note that there is a potential need for a new spine/link road to mitigate the impacts of the allocation KP5. The Strategy Topic Paper (TP01) forecasts completions being delivered by 2025/26 on the site. We would like clarification on whether, if required, the spine/link road would need to be delivered before the delivery of any housing. If this is not known, we would like further information in relation to what assumptions have been used to forecast the site starting to deliver completions in 2025/26.

12. Through the Mainland Transport Assessment Addendum - Southleigh Study (EB06) the Council has concluded that there is a likely need for changes to the Warblington junction and a direct link road to mitigate impacts on the local road network surrounding the Southleigh Site. This conclusion is based on conditions at the end of the plan period (1,100 units) and for the full development of 2,100 homes. The Council's transport evidence has not explicitly considered intermediate levels of development; that is to say, it has not yet been established how much, if any, development can be accommodated on the local road network without a link road and amendments to the Warblington Junction of the A27.
13. The Council has always been clear that the TA and its addendum are designed as a strategic level assessment, which needs to be followed up with more detailed work to support an application. It is through the site specific TA that the Council expects full consideration of the phasing of development and associated infrastructure to take place. This will consider the full mitigation package for the development in the round and determine the most appropriate package and associated timescales for delivery.
14. Accordingly, modifications to the supporting text of KP5 have been suggested through CD27, so that the supporting text on transport evidence (paragraph 3.108) now reads:

While substantial evidence has been compiled to support this plan, including around the deliverability of the site and infrastructure needed to support it (Transport Assessment and Southleigh Transport Study; Viability Report; Infrastructure Delivery Plan), this evidence will need to be further refined before a planning application is submitted. In terms of transport infrastructure, the Local Plan Transport Assessment has identified possible mitigation measures for the local road network, and land is safeguarded through Policy IN2 for an access from this site directly onto the A27. The applicant will need to undertake a site specific transport assessment to supplement and update this evidence, and work with the Borough Council and its Highway Authority partners to agree a suitable transport mitigation package. This should include full consideration of reducing the need to travel and facilitating active and sustainable transport modes.

15. In the interim, the Council does not prejudice the level of development that can be achieved without a link road. The Council confirms that the housing trajectory (see Appendix 1 in TP01) assumes that first completions on site will occur during 2025/26. This is considered ambitious but realistic, particularly if some development can be delivered ahead of the link road. Completions from two outlets (50 dwellings per year per outlet) are assumed across the plan period reflecting the average build out rate.

On a related matter, the A27 Feasibility Study (Ref EB01) and the Mainland Transport Assessment Addendum: Southleigh Study Parts 1 and 2 (Ref EB06) identify and consider options for the spine/link road. We are keen to further understand whether a spine/link road, particularly the identified preferred option, would have any significant impacts on the existing service stations on the A27 and the delivery of site allocation C9. Further, we would also welcome the Council's initial view with regard to whether the safeguarded land in Policy IN2 for the spine/link road affects the deliverability and therefore effectiveness of allocation C9.

16. The Council acknowledges that there is substantial overlap between the safeguarding for the access road safeguarded through IN2, and the allocation under Policy C9, as well as the existing service station to the south of the A27.
17. The outline of the safeguarding for the link road in IN2 was drawn at the stage when the A27 Feasibility Study (EB01) had identified two preferred options for consideration (options 1 and 4D). The safeguarding reflects the option with the greater land take ('option 4D') so as not to preclude either design. That option does include a significant amount of land within the C9 allocation, including the southern service station. It should also be noted that the Southleigh Study (EB06) has focussed on just one of the junction options initially identified and determined that the smaller one with amendments ('Option 1B+') would be capable of delivering a suitable mitigation scheme. That scheme would have no effect on the service stations or the land allocated at C9. The outline of that scheme can be seen in Appendix 1 of part 2 of the Southleigh Study. Nevertheless, it is considered prudent to continue to safeguard the greater land take at this stage.
18. It is acknowledged that design 4D requires land within the C9 allocation. However, it also brings benefits to that allocation in that it provides improved access, notably including for traffic travelling east.
19. The land of the southern service station is included in the safeguarding because the ingress and egress arrangements at the service station would need to change as a result of the amendments to the slip road. Therefore, although covered by the safeguarding, the road layout under junction option 4D would not necessitate the removal of the service station. However, were a junction design including an overbridge connecting the land north and south of the A27 to be delivered, it is considered that only one service station may be necessary in the future. That would be a commercial decision.
20. In allocating the C9 land for roadside services to complement the petrol filling station, and/or small-scale distribution / warehouse floorspace, rather than a more substantial and specified amount for employment floorspace, the Council is acknowledging current access constraints. The Council does not consider that the safeguarding of the land for the junction under IN2 affects the deliverability of such facilities, in particular in the western part of the site.

Mainland Transport Assessment (EB5)

The 2020 Regulation 19 version of the Plan (CD08) increased the floorspace of the employment allocations within the Plan. Highways England has set out that they are

concerned that this increase has not been considered in the Mainland Transport Assessment. We would like to seek clarification from the Council on this matter and also therefore whether there is sufficient evidence to conclude that there would not be any severe impacts on the strategic road network, as a result of the Plan.

21. The Council assumes that this question relates to the comment from Highways England (R314 20C01) to the 2020 Regulation 19 consultation, which reads:

We note that the total objectively assessed employment need has been revised from 82,780 to 86,919 employment floorspace to be delivered by 2037, an update from 2036 in the last consultation. The total new employment floorspace delivered and committed and further supply identified in the plan has been revised from 96,759 to 149,940 sqm. The majority of this rise in new employment floorspace in the changes to the Pre-Submission Local Plan is within site allocations in the Local Plan, rising from 74,992 to 113,770 sqm in this consultation.

22. And after reviewing individual employment allocations in the plan the comment goes on to summarise:

We have reviewed the “Changes to the Pre-Submission Local Plan” consultation and given the potential impact on the SRN as a result of the approximately 50% increase of employment site allocations we request confirmation that there is an appropriate transport evidence base to assess this revised scenario. We note that the current Transport Assessment within the Evidence Base supporting the Local Plan on your website is dated 09/11/2018 and does not capture this level of development...

23. The Council confirms that the figures quoted by Highways England are correct and are taken from Table 3 of the 2020 Regulation 19 changes Plan (CD08). For complete clarity, it should be noted that the Mainland TA (EB05) is dated 1.2.2019, and that the report dated 9.11.2018, which is referred to in the HE representation, is the associated Sub-Regional Transport Model (SRTM) Modelling report (also filed under EB05).
24. The Council acknowledges that the Local Plan and the employment floorspace assumptions and allocations within it have evolved and changed a number of times since the preparation of the TA, and that the TA has not been updated to reflect these. Nevertheless, the Council remains confident that the Mainland TA remains a robust strategic assessment of the highways impacts that might be expected from the Local Plan and background growth by the end of the plan period.
25. Chapter 3 (tables 3-1, 3-2 and 3-3), together with Appendix B, of the SRTM Modelling report sets out the land use assumptions in the TA. These tables show that 97,468 sqm of office, industrial and warehousing floorspace allocations have been considered. The Council acknowledges that this falls 16,302 sqm short of the employment allocation figure in the Local Plan of 113,770 sqm. However, this is balanced by the fact that an additional 20,700 sqm of retail and leisure development have been considered through the TA, which do not appear in the employment figures in Table 3 of the plan. To summarise, a total of 118,168 sqm of non-residential floorspace allocations have been considered through the TA (Table 3-

2). A similar level of 118,141 sqm of non-residential floorspace has been assessed through the TA, once allocations have been combined with delivered and committed gains and losses between 2016 and 2036 (Table 3-3). The Council acknowledges that this is 31,772 sqm less than the employment floorspace shown in table 3 of the plan.

26. Considering some of the individual changes made to the plan over the period of its drafting serves to illustrate why this is the case. Most notable perhaps, are the allocations for KP9 Langstone Technology Park, and for C12 BAE Systems, where allocation figures have varied between no identified quantum of employment floorspace to 29,820sqm and 12,575sqm respectively, over 42,000 sqm in total. This is because of changes to the site promoters' plans at these sites, which the Council has aimed to reflect at the stages of plan preparation. The floorspace figures attached to these sites serve to demonstrate that revised plans at just one or two sites can serve to quite significantly reduce or increase the floorspace figure that should be assumed overall in assessments such as the TA. The overall strategy towards employment development has stayed broadly the same throughout the plan's development and is reflected in the Mainland TA and its model runs. It would be disproportionate to update the TA every time a change came to light on an individual site.
27. While the Council acknowledges that the figures included in the TA for employment floorspace may be less than the employment floorspace put forward in the submission plan the TA does demonstrate that 188,000 sqm (rounded) of commercial floorspace, including 94,500 sqm (rounded) of office, industrial and warehouse floorspace can be accommodated on the network, once mitigations measures are included.
28. The Council is clear in other areas of the evidence base that its target employment floorspace (149,940 sqm; 113,770 sqm of which is specifically through allocations) is higher than the level identified through the key piece of evidence: the PUSH Spatial Position Statement (EB40). This is in order to provide choice and availability of employment sites to allow nimble adaptation to changing circumstances (see Duty to Cooperate Statement CD26). Floorspace needs and delivery of sites will be kept under review as the plan progresses. In addition, the 5 year review of the Plan ensures that any changes in anticipated floorspace figures can be accounted for fully in the new plan and associated TA. Individual site level TAs and travel plans will also be required to support planning applications as employment sites come forward for development.
29. Overall, the Council considers that the figures in the TA remain robust at the strategic level against the employment floorspace planned for through the Local Plan.
30. The Council would also like to make you aware that officers have met with Highways England since their 2020 representation to clarify the questions they had raised on the evidence base. The Council is working with Highways England to arrive at a Statement of Common Ground which it is hoped will add further clarity to this answer and Highways England's position on the evidence base.

Local Plan and CIL Viability Study (EB48) & Update Note (EB49)

We would like to seek clarification from the Council that all potential costs, including the full requirements of Policies H1-H4 (in combination), Policy E12, Policy E16, Policy E17, Policy EX1 and Policy IN3 (electric charging points) have been suitably assessed in the viability studies.

31. Yes, it is considered that the cumulative costs of development associated with the Havant Borough Local Plan (HBLP) Submission Version (CD01) have been taken into account though the Council's Local Plan and CIL Viability Study (EB48) and Local Plan Viability Supplementary Update Note (EB49) respectively.
32. Viability has been considered comprehensively. The assessment work has taken place over a two main stages (over the period 2017 – 2019) and associated updating (May – June 2020). Collectively, this both informed (through a 2-way process between the Council and Dixon Seale Partnership) and supports the submitted Plan using a well-established approach carried out in accordance with the National Planning Policy Framework and Planning Practice Guidance.
33. A technical response for each of the particular policy requirements has been provided by Dixon Seale Partnership and is annexed to this letter.

Other matters

34. I can also advise that the following has taken place recently:
 - i. An update to the Solent Waders and Brent Goose Strategy has been published. This is being added to the Examination Library with the reference EB16a. The Council is in the process of assessing the changes to the plan which will be needed, together with any changes to the Habitats Regulations Assessment (CD13). We will provide an update as soon as possible.
 - ii. An Economic, Employment and Commercial Needs (including logistics) Needs Study was approved by the Partnership for South Hampshire's Joint Committee on 22 March 2021. This is being added to the Examination Library with the reference EB60.
35. I hope that the answers above provide all of the information and clarity that you need. Of course, if you have any follow up questions please feel free to get in touch.

Yours sincerely

David Hayward

Planning Policy Manager

Viability annex

Response provided by Dixon Seale Partnership in relation to the particular policy requirements identified by the Inspectors

Policy H1 | High quality new homes

Space Standards

- a. In a typical approach used by the viability consultants, the viability testing assumes dwelling sizes based on the range described in the Nationally Described Space Standard (NDSS). Figure 3 (at 2.2.9) in the Final Report [EB48] sets out the assumed dwelling sizes. Paragraph 2.8.13 confirms the consistency with the ranges within the NDSS and references Appendix I which also specifically refers to the NDSS when stating the assumed dwelling sizes. Within the 'Findings and Recommendations' section 3.6 of EB48 cover the NDSS, and this policy area is also picked up in the Executive Summary (para. 30).

Outdoor amenity space

- b. It is considered that the overall assumptions made in relation to both the assumed densities (relevant also to H3 as below) and site areas reflect the intended requirements of policy H1 in the context of strategic level assessment. The indicative site areas were based on an appropriate density assumption for the type of development envisaged by the tested scenarios (typologies) with an additional allowance then added to get from an assumed net (developable) site area to the estimates of gross (total) land area. This adjustment assumption (net to gross land area or estimated additional 'land take' allowance) was varied by site type and size ranging from 15% to 30% added land 'take' – the first typologies overview table at viability assessment Appendix I [to EB48] includes the site area assumptions. The assumed density range (40 – 150 dph) driving the net (developable site area element) of the overall (gross/total) site area assumption is noted under 'density standards' beneath the Appendix I EB48 typologies overview table. The density assumptions carried forward for use in the Update [EB49] are also set out within Appendices A, B and C to that document.

Enhanced accessibility and adaptability standards

- c. Paragraphs 2.8.14 – 2.8.21 of the main assessment final report 2019 [EB48] set out the assumed approach to including test costs representing enhanced accessibility and adaptability standards – across the typologies and again as part of the cumulative costs. This is part of an established approach used by the viability consultants. Paragraphs 2.8.20-21 [EB48] describe how the testing assumed the requirements set out in Policy H1 as a base assumption with additional sensitivity testing carried out at a potential, higher (more 'aspirational' level). Appendix I (second sheet) to EB48 also describes the above approach with the corresponding estimated cost of meeting the policy requirement (and higher sensitivity test level) shown. Those estimated costs were also reflected in the larger and strategic site testing, as noted within the 3rd sheet of Appendix I to EB48. These costs assumptions along with all others were also continued through to the Update testing [EB49].

Section 3.5 of EB48 overviews the findings on this policy area, which para. 31 of the Executive Summary also reflects.

Policy H2 | Affordable Housing

- d. Paragraphs 2.4.8 - 2.4.16 of the assessment report [EB48] set out the range of assumptions made in relation to AH, a key element of the review, and the scope of the testing in line with informing, further developing and supporting HBLP policy. Further detail is also provided at 2.8.8 - 2.8.11 and 2.8.22 - 2.8.25. Appendix I to EB48 also notes the range of testing, with the typologies tested across a range 0% to 40% AH overall, 20%, 30% and 40% on typologies representing sites of 10+ dwellings and broadly equivalent AH financial contributions also assumed for testing purposes on sites <10 units. AH tenure has also been reflected accordingly, again as EB48 sets out, in a comprehensive approach to considering this policy area as a key aspect of the cumulative costs and scenarios considered. This work reflects in section 3, results and findings, and the Appendices IIa and IIb results tables to EB48 as well as its Executive Summary. The assessment process and findings were then further explored and reinforced through the Update assessment work [EB49].

Policy H3 | Housing density

- e. As above, it is considered that at this strategic level of review, an appropriate range of density level assumptions have been made. As with other assumptions, there were considered closely with the Council. To recap, the density assumptions are noted within EB48 Appendix I under 'density standards' – providing a range of 40 and 55dph respectively for housing and mixed (houses and flats mixed) typologies and an appropriately increased level of 150dph for flatted town centre typologies, aligning with the requirements set out in Policy H3. Appendix I (third sheet) to EB48 also states the assumed density for the larger typology and strategic site (KS5) testing - at 40dph (again, on the assumed net developable site areas).

Policy H4 | Housing mix

- f. Paragraphs 2.2.2 – 2.2.12 of EB48 refer to the assumed housing mix basis, informed by a range of information including recommendations contained in the up to date SHMA at the time of assessment. Appendix I to EB48 also sets out the 'dwelling mix principles' that were adopted for both market and affordable housing – all necessarily (but appropriately for the purpose) subject to the 'best fit scenario' within the assumed mix, because in practice these and of other factors will vary with site specifics in practice.

Policy E12 | Efficient use of resources and low carbon design

- g. Paragraphs 2.8.1 – 2.8.7 of EB48 describe the approach taken to assumption reflecting energy efficiency/sustainability and associated HBLP policy cost factors. Appendix I (second sheet) to EB48 also sets out further detail. An additional build cost assumption has been made - at 2% over base build costs as a proxy at the time for meeting energy and water efficiency requirements equivalent to former Code for Sustainable Homes Level 4. In addition, further sensitivity testing has also been undertaken at +6% (i.e. an additional +4%) over base build costs to reflect a potential direction towards zero carbon development – provided for the Council's information.

- h. A distinct allowance has also been made for electric vehicle charging - at £500/dwelling as noted at 2.8.26 of and within Appendix I (second sheet) to EB48. Paragraph 2.8.1 also confirms the assessment's reflection of water usage efficiency – consumption restricted to 110lppd (litres per person per day), using an established approach to that assumption. Section 3.7 of EB48 overviews the assessment findings.

Policy E16 | Recreational impact on Solent European Sites, previously Solent Special Protection Areas

- i. Although a small cost on its own, the viability assessment again considers this as part of the overall (cumulative) costs of development in the borough. Paragraph 2.8.27 of the assessment report [EB48] confirms that suitable allowance has been made as part of the cumulative costs considered, reflected by way of financial contribution towards the Solent Recreation Mitigation Strategy (SRMS), with data provided directly by the Council for use in the assessment as a reasonable strategic level assumption. An average £564/dwelling was assumed as appropriate at this strategic level of review – applied to all dwellings. EB48 Appendix I (second sheet) provides further detail.
- j. As noted below, in addition, the Supplementary Update Note (2020) [EB49] describes further testing undertaken to reflect additional environmental mitigation (as well as SRMS related) in regard to Nutrients Neutrality on a sample number of typologies. It is acknowledged that as per the policy other solutions could be appropriate in practice, but was not considered necessary to look at a range of potential site-specific scenarios (which would still be assumption based).

Policy E17 | Solent Waders and Brent Geese feeding and roosting sites

- k. Paragraphs 2.8.28 – 2.8.30 of the main viability assessment report [EB48] note this policy area to be specific to certain areas and sites. Therefore, this level of detail has not been included in the typologies testing as a consistently applicable scenario in the borough and as the details and specific requirements were not generally known at HBLP viability testing stage. It is likely that, as in the case of considering site specifics and any abnormal issues, the Council would likely to need to review any implications for schemes and their viability on a specific case by case basis. It is also worth noting, however, that the viability testing assumptions include a £3,000/dwelling contingency for potential s.106 or similar matters needing to be addressed at a site-specific level alongside the contributions to the Havant Borough Community Infrastructure Levy (CIL) and all other costs of development allowed for cumulatively. This is set out within EB48 (at paragraph 2.12.2 and within the second sheet of Appendix I to the study); and is confirmed at paragraph 3.2.5 of EB49 (the assessment Update). This additional assumption may also be relevant in other respects as there will inevitably be some variables or matters not having a consistent or regular influence at a site and scheme-specific level.

Policy EX1 – Water quality impact on Solent European sites

- l. The need for the Council to develop an approach to the requirements for Nutrients Neutrality was one of the key drivers for the additional viability assessment work conducted through the

2020 Update [EB49]. Paragraphs 1.2.1 and 2.3.1 of that Supplementary Update Note set out the level of costs applied as part of the further testing (again as part of the cumulative costs – i.e. alongside all other allowances made) reflecting the Council’s strategic mitigation scheme. EB49 confirms the viability findings on accommodating these estimated costs (assumed at an additional £800/dwelling) – in the case of both the re-tested typologies and the strategic site testing (EB49 paragraphs 3.2.7 and 3.3.7 respectively).

Policy IN3 – Transport and parking

- m. Along with all other development cost assumptions, as part of the cumulative policies testing approach the viability assessment includes a cost allowance for electric vehicle charging provision (at £500/dwelling) as noted at 2.8.26 of and Appendix I (second sheet) to EB48. This is also referenced at paragraph 2.5.4 of the Supplementary Update Note (2020) [EB49] - carried forward and factored into the overall development costs considered within additional testing. This assumption can also be seen amongst the appraisal inputs shown within the strategic site appraisal summaries appended to both EB48 and EB49.