

Board/Committee:	Policy and Organisation Board
Date of Meeting:	13 March 2024
Title:	Local Development Scheme for the emerging Gosport Borough Local Plan 2040
Author:	Manager of Planning Policy
Status:	For Decision

Purpose

The Council is required by legislation to prepare a Local Plan for its area. The timetable for the preparation of a Local Plan must be published in a Local Development Scheme (LDS). This report seeks approval to publish the latest version of the LDS.

Recommendation

That this Board:

- **Approves the Local Development Scheme (March 2024) (as set out in Appendix A).**

1 Background

- 1.1 The preparation of an LDS is a statutory requirement of the Planning and Compulsory Purchase Act 2004 (as amended). The current LDS was agreed by the Council in March 2023.
- 1.2 It is now necessary to update this LDS with a revised timetable to produce the new Gosport Borough Local Plan as well as extend the end date of the emerging Local Plan from 2038 to 2040 to ensure that there is at least a 15-year span from the date of anticipated adoption, in accordance with Government guidance.
- 1.3 The Gosport Borough Local Plan 2040 (GBLP2040), once adopted, will replace the current Gosport Borough Local Plan 2011-2029 (adopted in October 2015). The revised LDS reflects a number of material considerations which have occurred since the initial consultation of the emerging Local Plan was produced in September 2021 (often referred to as the Regulation 18 stage) and the production of last year's LDS.
- 1.4 Key considerations relating to the timetable include the following matters:
 - The Government's Chief Planner has stated that Local Planning Authorities (LPAs) should continue with plan-making notwithstanding the Government's wholesale planning reforms. The Government has stated that plans should be submitted by June 2025 and be adopted by December 2026 under the existing legal framework.

- It has been necessary to consider the implications of evidence studies to support the Local Plan process.
- There have been some changes in the availability of a number of key residential/mixed use sites since the Regulation 18 consultation (for example the Police Station and Haslar Barracks sites).

2 Background to the role of a Local Plan

- 2.1 The proposed LDS is required to include a programme for preparing and adopting the Local Plan. The Local Plan is a form of Development Plan Document (DPD) and it is a statutory requirement for each local authority area to be covered by a DPD. It is a requirement set in law that planning decisions must be taken in accordance with the Local Plan unless material considerations indicate otherwise.
- 2.2 The Local Plan sets out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure. It is also used as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well-designed places. The Local Plan is used by Development Management team and the Regulatory Board to make decisions on planning applications.

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3 Key considerations since the last LDS was produced

- 3.1 The LDS sets out the key stages of the Local Plan including when community involvement will take place and when it is anticipated to be examined by an independent Planning Inspector.
- 3.2 The LDS must be made publicly available and kept up-to-date. It is important that local communities and interested parties can keep track of progress. LPAs should publish their LDS on their website. The LDS represents the best estimate based on the information known at the time and draws from the experience of producing the current adopted Local Plan. Significant progress has been made with the preparation of the Local Plan however there may need to be further updates during preparation due to changing circumstances including additional Government requirements or indeed implications that arise from the calling of a General Election.
- 3.3 In relation to the Local Plan, LPAs are now required to 'review' their plans every five years after adoption. This is a requirement set out in the NPPF (from 2018) which was applied retrospectively to plans adopted prior to this date.
- 3.4 Members may recall that the current LDS approved in March 2023 programmed the next stage of the Local Plan (Regulation 19) to be produced for January/February 2024. However, for a number of reasons it

has been necessary to push back this consultation to the Autumn 2024. The key reasons for this are set out below

- 3.5 **1) Delayed publication of revised National Planning Policy Framework (NPPF):** On 21 December 2023 the Government published its long awaited revised NPPF which had been due to be published in Spring 2023. Some of the elements in the draft NPPF published in December 2022 would have significant implications for the emerging Local Plan and therefore it was important to understand which proposals would be incorporated in the latest reforms.
- 3.6 Importantly one key amendment has been introduced which states that the Government's 'Standard Method' for determining the housing requirement for each local authority is now '*an advisory starting point for establishing a housing requirement*'. Consequently this wording can assist the Council in making a case to the Planning Inspectorate that the housing level proposed in the emerging Local Plan is the most appropriate for the Borough and that a higher figure is not possible to achieve due to capacity, viability and environmental constraints.
- 3.7 It is noted however the review of the Standard Method programmed for early 2024 has been delayed to 2025 as the Office for National Statistics (ONS) will not be producing its latest projections until next year. Consequently, the 2014 household projections will continue to be used to calculate the Standard Method rather than the 2018 projections or indeed projections based on the 2021 Census. These latter two projections would demonstrate a reduced need for housing in the Local Plan when compared with the 2014 projections for Gosport.
- 3.8 **2) Agreement of a Spatial Position Statement (SPS) by the Partnership for South Hampshire (PfSH):** On 6th December 2023, PfSH Joint Committee including this Council agreed to approve the PfSH Spatial Position Statement. This, together with the multilateral Statement of Common Ground provides a useful basis to demonstrate to the Planning Inspectorate that the PfSH authorities have established a meaningful framework to work towards meeting sub regional housing needs. This identifies that the PfSH authorities currently meet 64,909 dwellings of the 75,000 identified need (excluding the Southampton 30% uplift which needs to be met within Southampton itself). Consequently the shortfall of 10,000 dwellings will be met by a combination of new allocations in emerging Local Plans and over the longer term by a number of 'Broad Areas of Search for Growth' identified in the SPS. Such work contributes to each local authority's legal requirement to meet the 'Duty to Cooperate'.
- 3.9 **3) Deliverability of allocated sites.** As mentioned in last year's LDS report there have been a number of sites that are no longer proceeding as various landowners have confirmed that they are not available for residential development for a variety of reasons including proposals for alternative uses.

- 3.10 The Blockhouse 1 site remains a key allocation in the GBLP2040 and consequently it is necessary to demonstrate to some degree that the site is indeed deliverable. The onus on demonstrating deliverability has become a stronger requirement for the latest round of Local Plans than with the current adopted Local Plan. Therefore, it has been necessary to ensure that the Council has as much evidence as possible that can demonstrate that the site is moving in the right direction towards deliverability even if that means acknowledging that additional Government support may be required in order to bring the site forward.
- 3.11 Consequently, in the light of the above, it has taken longer than anticipated for the evidence for this highly complex site to be produced and this will not be finalised until the middle of the year.
- 3.12 **Implications of evidence studies:** In addition, the Council has had to further consider the implications of its own commissioned evidence and has sought advice, at no cost to the Council, from the Planning Advisory Service (PAS) regarding potential ways forward on issues relating to viability. The findings of their advice are still being progressed as part of the Local Plan policies.

4 **Proposed Timetable**

- 4.1 The Levelling Up and Regeneration Act received Royal Assent on 26th October 2023 which confirmed that the Government is going ahead with a new Local Plan system (as outlined by the Members' Information Bulletin (April 2023) and previous Economic Development Board Reports on planning reforms (23/9/20 & 17/3/21)). The new system will rely on nationally-devised development management policies and that the Local Plan will focus on land use allocations but will be able to include some supplementary development management policies where particular matters are not addressed.
- 4.2 The Government has set out a transitional timetable for the new system. It is considered that the Council will be able to submit the emerging GBLP2040 under the current system prior to the submission date cut-off of June 2025 and adoption date cut-off of December 2026. This will ensure that the Council will be in a strong position to take a plan-led approach when determining planning applications and maintain its own development management plan policies until such time that the Council embarks on a new-style Local Plan.
- 4.3 Table 1 below sets out the proposed timetable included in the latest LDS.

Table 1: Summary of the new Gosport Borough Local Plan 2038 Timetable

Stage	Timescale	Progress
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Consultation on Draft Local Plan (Reg. 18) (10 week informal consultation)	September – December 2021	Completed
Seek Policy and Organisation Board and Full Council approval for consultation and ultimately submission of Reg. 19 draft Local Plan	October 2024	Work ongoing
Consultation on Publication Plan (Reg. 19) (6 week consultation)	October – November 2024	N/A
Submission of Plan to Secretary of State	February 2025	N/A
Examination in Public	Late Spring/Early Summer 2025	N/A
Adoption	Winter 2025/2026	N/A

- 4.4 The Regulation 19 consultation Local Plan will include:
- the various land-use allocations relating to employment and residential uses;
 - updates of the existing Local Plan policies;
 - new policies relating to the Government’s commitment to net zero carbon emissions by 2050, enhancing biodiversity, improving health and wellbeing and increasing the diversity of town centre uses (which is also reflected in the changes of the Use Class Orders).

4.5 It will also take into account, where appropriate, representations received to the Regulation 18 consultation and it will be accompanied by a detailed consideration of all responses received.

4.6 For completeness, the LDS includes provisions for other non-DPD planning documents although this is not a statutory requirement. This includes the revised Charging Schedule for the Community Infrastructure Levy (CIL) included in Appendix 2 of the LDS which will be produced and examined at a similar time to the emerging Local Plan. The latest Government proposals, announced in March 2023, regarding CIL state that it is likely to be abolished and replaced with a completely different mechanism (known as the Infrastructure Levy); however the Government has stated that this will have a long lead-in time, following a test and learn phase starting in 2025, with a full roll-out targeted for 2030.

5 Risk Assessment

5.1 The LDS includes a section on risk assessment and recognises that inevitably there will be various factors, mainly unforeseen, which will affect the programmes for the preparation of the Local Plan and associated documents. This could include the following:

- Staff retention
- Staff capacity and skills
- Any diversion of staff time to other Council corporate priorities
- Recruitment problems of qualified officers

- Staff illness
- Changes to Government guidance and legislation
- Budgetary constraints
- Lack of clarity from landowners on the extent and timescale of any land releases which can affect the evidence gathering process and ultimately the ability to allocate sites
- Capacity of external agencies to provide comment and guidance
- Programme slippage on evidence studies
- Level of representations received at each stage of consultation.
- Calling of a General Election

5.2 Consideration will be given to appropriate contingency arrangements, especially if this would lead to key milestone dates not being met. In certain circumstances it may be necessary to prepare a revised Scheme where the programmes in the LDS may not have been met. The LDS is kept under review via the Planning and Regeneration Service Management meetings. Any material revisions will be reported to the Policy and Organisation Board for approval.

6 **Conclusion**

6.1 The LDS has been updated and that a number of uncertainties that existed at the time the current LDS was produced in March 2023 have now been resolved or partially resolved. The Council is required to publish an LDS and if approved the LDS in Appendix A will be published to meet statutory obligations.

Financial Services comments:	None
Legal Services comments:	None
Equality and Diversity:	Not applicable- This is a programme for producing the Local Plan which is accompanied by its own Integrated Impact Assessment (IIA). The consultations arrangements themselves are set out in the Statement of Community Involvement which is also being reported to this Board and has been subject to an IIA.
Climate Change:	Not applicable – This is a programme for producing the Local Plan which is accompanied by its own Integrated Impact Assessment (IIA).
Crime and Disorder:	This is a programme for producing the Local Plan which is accompanied by its own IIA.
Council Plan:	The delivery of the Local Plan requires an LDS to be published. The Local Plan will assist in developing the economy, enhancing the environment and raising aspirations.
Risk Assessment:	See Section 5

Background Papers:	None
Appendices:	Appendix A: Local Development Scheme for the emerging Gosport Borough Local Plan (March 2024)
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