

# Portsmouth Local Development Scheme

A timetable for the production of Portsmouth's Local Planning Policies

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## **Portsmouth Local Development Scheme**

### A timetable for the production of Portsmouth's Planning Policy Documents

Approved by Portsmouth City Council Planning Policy and City Development Portfolio at  
their meeting of 13<sup>th</sup> August 2020



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# 1. Introduction

## What is the Local Development Scheme?

- 3.1 This Local Development Scheme (LDS) came into effect on 13<sup>th</sup> August 2020.
- 3.2 The Council must<sup>1</sup> produce a 'Local Development Scheme' (LDS) to inform local residents and other stakeholders about the following:
- the development plans that the city council will be preparing over the next three years;
  - the subject matter of those plans and the geographical areas they cover; and
  - the timetable for the production and adoption of development plan documents, primarily the new *Portsmouth Local Plan 2016-2036*.

## 1.1 The Plan Making System

- 3.3 Planning decisions must be taken in line with the 'development plan' unless material considerations indicate otherwise. The 'development plan' for an area can be made of a number of statutory planning documents, which contain both strategic policies (which address the priorities for an area) and non-strategic policies (which deal with more detailed matters).
- 3.4 In Portsmouth, the Local Plan set out the vision for the future of the city and the strategy for meeting its development needs over a 15-year period. The Local Plan covers the city's housing and infrastructure needs and provides a framework for addressing key economic, social and environmental concerns. Planning applications for development in Portsmouth are guided by the policies in the Local Plan.
- 3.5 The content of the Local Plan is shaped by engagement with communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. The Council also co-operates extensively with neighbouring authorities through the Partnership for South Hampshire (PfSH) on cross-boundary issues, and with other Local Authorities in Hampshire in planning for sustainable mineral resource use and waste management in the county.
- 3.6 The Development Plan can also include location specific documents. Neighbourhood plans developed by communities can help to deliver sustainable development in their locality by influencing local planning decisions. Neighbourhood planning is not a legal requirement but a right which communities in England can choose to use. Any neighbourhood prepared in Portsmouth would form part of the city's development plan, once adopted.
- 3.7 The preparation of new Local Plans involves assessing the future needs and opportunities, exploring and identifying options, and then setting out a preferred approach. This process involves gathering evidence, meaningful engagement and consultation and on-going assessment of proposals through Sustainability Appraisal and Habitat Regulations

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<sup>1</sup> Under the *Planning & Compulsory Purchase Act 2004* (as amended)

Assessment. A Sustainability Appraisal<sup>2</sup> (SA) systematically assesses the extent to which the plans and policies, when judged against reasonable alternatives, will help to achieve key environmental, economic and social objectives. A Habitats Regulations Assessment<sup>3</sup> considers if a plan or project is likely to have significant effects on designated habitat sites.

- 3.8 Table 1 on the following page explains the next steps following the preparation of a draft Plan; submission, examination and adoption.
- 3.9 Supplementary planning documents (SPDs) are not part of the development plan but form a material consideration in decision-making. SPDs provide more detailed advice or guidance on adopted Local Plan policies.
- 3.10 The Local Plan is supported by a range of other planning documents adopted by the Council. The Statement of Community Involvement (SCI) sets out how residents and other stakeholders can be involved in putting together plans for the future of the city and in determining planning applications. The Authority Monitoring Report, published annually, assesses the effectiveness of adopted plan policies, and the Council's progress on the production of the new Local Plan against the timetable set out in this document.

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<sup>2</sup> Under S.19 of the Planning and Compulsory Purchase Act (as amended) and as per the Environmental Assessment of Plans and Programmes Regulations 2004

<sup>3</sup> As per the *Conservation of Habitats and Species Regulations 2017*.

**Table 1: Development Plan Preparation Stages**

<b>Preparation</b>	This stage consists of one or more formal opportunities for stakeholders to influence and comment on the content of the plan. This is often referred to as a 'Regulation 18' consultation <sup>4</sup> .
<b>Publication</b>	This is the publication of the plan in a form which the Council believe to be the sound final version which it intends to submit for examination. There then follows at least a six week period for interested parties to comment on the plan. Comments received at this stage must specifically relate to the legal compliance and 'soundness' <sup>5</sup> of the plan. This is often referred to as 'Regulation 19' or 'Pre-Submission' consultation.
<b>Submission</b>	This is when the plan is submitted by the council to the Secretary of State. The 'Examination' of the Local Plan starts at this point; this where a Planning Inspector will assess whether the Local Plan has been prepared in line with the relevant legal requirements and whether it meets the tests of 'soundness'.
<b>Hearings</b>	The most crucial time in the Examination is the hearings sessions. The hearings are public discussions where the Inspector explores the issues raised by the plan and the written and verbal representations.
<b>Inspectors report</b>	The Inspector then issues a report on the Examination. This sets out whether the plan is legally compliant and sound. It also sets out any changes the Inspector recommends in order for the plan to be found sound.
<b>Adoption</b>	The final stage in the process is the formal adoption of the plan by the council. Once adopted, on it forms part of the statutory development plan.

<sup>4</sup> Under *The Town and Country Planning (Local Planning) (England) Regulations 2012* (as amended)

<sup>5</sup> This relates to the National Planning Policy Framework's (updated Feb 2019) 'tests of soundness' set out in para.35.



## 2. Portsmouth's Existing Planning Policy Framework

2.1 The development plan for Portsmouth City Council area is comprised of the following adopted documents:

- Portsmouth Plan Core Strategy (2012)
- Portsmouth City Local Plan saved policies (2006)
- Southsea Town Centre Area Action Plan (2007)
- Somerstown and North Southsea Area Action Plan (2012)
- Hampshire Minerals and Waste Plan (2013)

2.2 The development plan documents are supported by a number of adopted Supplementary Planning Documents (SPDs)<sup>6</sup>, which provide greater detail on specific Local Plan policies and help guide their implementation. The following SPDs are currently in force:

- Houses in Multiple Occupation (2019)
- Minerals and Waste Safeguarding in Hampshire (2016)
- Oil and Gas Development in Hampshire (2016)
- Housing Standards (2013) and review briefing note (2015)
- Eastney Beach Habitat Restoration and Management Plan (2014)
- Parking Standards and Transport Assessments (2014)
- Student Halls of Residence (2014)
- Achieving Employment and Skills Plans (2013)
- Portsmouth City Centre Masterplan (2013)
- Tall Buildings (2012)
- The Hard (2012)
- The Seafront Masterplan (2010)
- Air Quality and Pollution (2006)
- Reducing Crime through Design (2006)
- Developing Contaminated Land (2004)

### Other Relevant Documents

2.3 Key supporting documents include:

- Statement of Community Involvement (2017)
- Community Infrastructure Levy Charging Schedule (2012)
- Solent Recreation Mitigation Strategy (2017)
- Interim Nutrient Neutral Mitigation Strategy (2019)

2.4 For more information on the above, a profile of the main documents is available in Appendix A and all documents are available from the Council's website at:

<https://www.portsmouth.gov.uk/localplan>

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<sup>6</sup> SPDs can be viewed online at: <https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-portsmouth-plan-adopted-2012>

### 3. The Future Development Plan

3.1 The Council is preparing the following documents:

<p><b>Portsmouth Local Plan</b></p>	<p>Sets the vision and strategic priorities for the future of the city (15 year plan period). The Plan will allocate sites for housing, employment and other key land uses and policies to guide development proposals.</p>	<p>The new Local plan will replace the policies in the following:</p> <ul style="list-style-type: none"> <li>- Portsmouth Core Strategy (2012);</li> <li>- Southsea Town Centre (2007) and North Southsea and Somerstown (2012) AAPs;</li> <li>- Portsmouth City Plan (2006) saved policies</li> <li>- Existing SPDs (as necessary<sup>7</sup>)</li> </ul>
<p><b>Hampshire Minerals and Waste Plan Review</b></p>	<p>A review of the Hampshire Minerals and Waste Plan (2013) would determine whether the existing plan policies remain up-to-date and effective in ensuring a sufficient supply of minerals and efficient management of Hampshire's waste, whilst protecting the environment and communities.</p>	<p>If the next review concludes a full a full or partial review is to be undertaken, the new policies would replace their equivalents in the Hampshire Minerals and Waste Plan (2013), existing SPDs may be reviewed as necessary.</p>
<p><b>Supporting Documents</b></p>	<p>SPDs and other planning documents may be required to expand upon or implement policy requirements in the Portsmouth Development Plan Documents.</p>	<p>Following consultation, such document will need to be formally adopted or brought into force by the Council. Existing documents will be superseded as required.</p>


3.2 Plans will be informed by the gathering of proportionate evidence. Evidence studies will be published alongside draft iterations of the Plan(s)<sup>8</sup>.

3.3 Meaningful engagement and consultation with residents and other key stakeholders is essential for developing a Local Plan for Portsmouth that is able to deliver positive and effective outcomes. While Table 1 set outs the stages in Local Plan preparation and the main opportunities to comments on the Plan, engagement on the Local Plan may take a range of forms and is not strictly limited to formal consultation periods.

<sup>7</sup> The Local Plan will be accompanied by a schedule setting out which documents to be superseded by the new policies.

<sup>8</sup> See the full evidence base for the new Portsmouth Local Plan at: <https://www.portsmouth.gov.uk/ext/development-and-planning/planning-policy/new-local-plan-evidence>

## 3.1 New Portsmouth Local Plan Timetable

The new Portsmouth Local Plan will set out the strategy for development in the city up to 2037/ 38.		
Joint production?	No	
<b>Chain of conformity</b>		
National policy	National Planning Policy Framework	
Regional policy	The South Hampshire Spatial Position Statement (non-statutory)	
Local policy	The Portsmouth Local Plan	
<b>Timetable for production</b>		
Preparation ('Reg. 18')	Issues and Options consultation	✓ July 2017
	Evidence base consultation ('Local Plan update')	✓ February 2019
	Consultation on a draft Local Plan	Early 2021
Publication ('Reg. 19')	Consultation on the proposed Local Plan for submission	Spring/ Summer 2021
Submission ('Reg. 22')	Submission of Plan to Secretary of State	Autumn 2021
Examination hearings ('Reg. 24')	Examination of the Plan by an appointed Inspector	Winter 2021* (tbc)
Inspectors report ('Reg. 25')	Inspectors Report on whether the plan is legally compliant and sound	Spring 2022* (tbc)
Adoption ('Reg. 26')	Formal adoption of the plan by the council	Summer 2022* (tbc)
<b>Geographical coverage</b>		
		

\*Estimated dates. Timetabling subject to resource availability at the Planning Inspectorate.

## 3.2 Hampshire Minerals and Waste Plan Timetable

The existing *Hampshire Minerals and Waste Local Plan (2013)* seeks to ensure the Plan area maintains a reliable and timely supply of minerals and efficient management of Hampshire's waste up to 2030.

An initial review of the Hampshire Minerals and Waste Plan was undertaken in 2018, five years' since the date of adoption. The report's recommendation, that the HMWLP does not require review at this time, was approved by Full Council on 19th March 2019<sup>9</sup>. It is proposed to review the HMWP again in 2020, to determine whether policies and site allocations still remain effective, and whether a subsequent full or partial review of the Plan is needed. In the interim period, a clearer understanding may emerge around the key issues expected to impact capacity and demand.

Joint production?	Yes - the plan will be prepared collectively by Portsmouth City Council, Hampshire County Council and Southampton City Council together with the New Forest and the South Downs National Park Authorities.
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### Chain of conformity

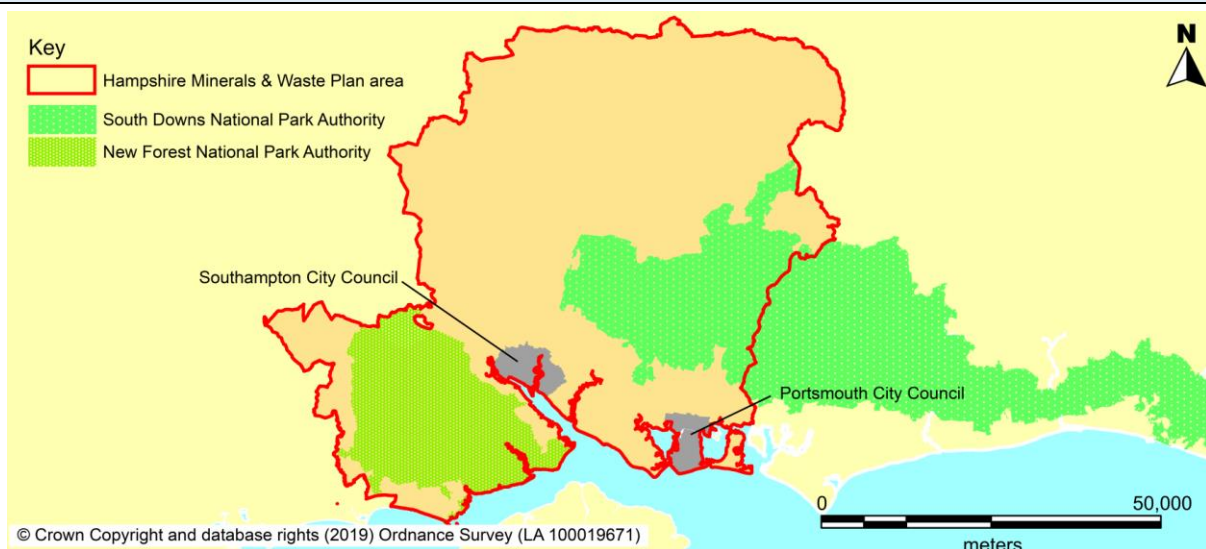
National policy	National Planning Policy Framework
Regional policy	n/a
Local policy	The above authorities' Local Plans

### Timetable for production

The Hampshire Authorities have agreed to undertake a further review of the existing plan in 2020, to determine whether a full review of the Plan is needed. A Stakeholder Workshop took place on 25<sup>th</sup> September 2019 to investigate the issues raised within the initial 2018 Review, and how the trends within minerals supply and sustainable waste management provision are developing.

A more detailed timetable will be published in due course on Hampshire County Council's website<sup>10</sup>, and will be reflected in future revisions to this document.

### Geographical coverage



<sup>9</sup> Meeting details available from:

<https://democracy.portsmouth.gov.uk/ieListDocuments.aspx?CId=146&Mid=3739&Ver=4>

<sup>10</sup> <https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

### 3.3 Supporting Planning Policy Documents

Further planning documents may be required to support the policies contained within Portsmouth's Development Plan Documents.

Supporting documents will be subject to public consultation as required. Once adopted by the Council, these documents would form a material consideration in the determination of planning applications in Portsmouth.

Table 2 outlines the key planning documents are currently under preparation.

A full review of all existing SPDs will take place prior to the adoption of the new Portsmouth Local Plan.

**Table 2: Supporting documents under preparation**

Document	Purpose	Target Date(s)
Seafront Masterplan SPD	To identify the key development principles for the seafront area to direct and shape change associated with the Southsea sea defences and regeneration of the seafront. Update of the existing 2010 SPD.	Consultation and adoption before the end of 2020.
Parking Standards and Transport Assessments SPD	Sets out standards and design principles for parking provision and sustainable transport measures arising from development. Also sets out guidance for the assessment of transport impacts. Update of the existing 2014 SPD.	Consultation and adoption before the end of 2020.
Portsmouth City Centre Masterplan and Delivery Plan	A development strategy to support the major regeneration to the city centre, to include the vision and objectives for the future of the centre and guiding principles for the type, form and location of new development. Replacement of the 2013 Masterplan.	Draft document for consultation in winter 2020/ early 2021.
Biodiversity Net Gain SPD	New guidance on biodiversity net gain (as required by the forthcoming Environment Act) for development proposals in Portsmouth.	To be progressed for consultation in 2021.

## 4. Monitoring and Review

- 4.1 The Authority Monitoring Report (AMR), published annually, will assess the Council's progress in preparing development plan documents against the programme in this LDS, and identify any changes required.
- 4.2 Any proposed changes to the LDS programme would need to be agreed by Council, and reflected in an update to this document. This includes the need for an additional development plan documents, which are not currently in the LDS, or any amendments required due to substantial regulatory changes.
- 4.3 Development plan documents should be reviewed to ensure that policies remain up-to-date and effective. A review must be undertaken within five years of adoption date of a plan<sup>11</sup>. The Council should undertake an initial review to determine whether:
- policies do not need updating, and publish the reasons for this decision; or
  - that one or more policies do need updating, and update their Local Development Scheme to set out the timetable for this revision.
- 4.4 Statements of Community Involvement must also be reviewed at least every 5 years. It is important that Statements of Community Involvement are kept up-to-date to ensure effective engagement at all stages of the planning process

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<sup>11</sup> *The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, S.10a.*

## Appendix A: Portsmouth's existing Planning Policy Framework

Title:	<b>Portsmouth Plan Core Strategy and polices map</b>
Adoption date:	January 2012
Website:	<a href="http://www.portsmouth.gov.uk/living/planning">http://www.portsmouth.gov.uk/living/planning</a>
Description:	<p>The other planning policy documents are in compliance with the Portsmouth Plan. The Portsmouth Plan sets out the overall vision and objectives for the city.</p> <p>The plan contains policies for the development of strategic sites in the city including Tipner, Port Solent, Horsea Island, the city centre, Lakeside Business Park, Somerstown and North Southsea and Fratton Park as well as the city's district centres and seafront. There are also core policies seeking sustainable, high quality development together with a suite of development management policies. Each policy section sets out the mechanisms through which the proposals will be implemented as well as a monitoring framework. The policies map sets out all of the adopted local planning policies geographically.</p>

Title:	<b>Portsmouth City Local Plan saved policies</b>
Adoption date:	July 2006
Website:	<a href="https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-portsmouth-plan-adopted-2012.aspx">https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-portsmouth-plan-adopted-2012.aspx</a>
Description:	<p>The Local Plan covers the whole city and contains strategic policies, policies for determining planning applications and specific allocations for individual sites. Most of the plan has been replaced by the Portsmouth Plan but some development management and site allocation policies still apply.</p>

Title:	<b>Hampshire Minerals and Waste Plan</b>
Adoption date:	October 2013
Website:	<a href="https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan">https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan</a>
Description:	Portsmouth City Council, as a minerals and waste planning authority, has a statutory duty to prepare a Local Plan to guide the need for, and locations of, minerals and waste management development. The Council works jointly on minerals and waste matters with Hampshire County Council, Southampton City Council, New Forest National Park Authority and the South Downs National Park Authority ('the Hampshire authorities'). The Hampshire Minerals and Waste Plan sets out a spatial vision for future minerals and waste planning in Hampshire and includes site allocations. This has been supplemented by two SPDs on Oil and Gas Development and Minerals and Waste Safeguarding which provide additional guidance on the implementation of the of the HMWP relating to these issues.

Title:	<b>Southsea Town Centre Area Action Plan</b>
Adoption date:	July 2007
Website:	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pln-area-action-plan-southsea-town-centre-jul07.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pln-area-action-plan-southsea-town-centre-jul07.pdf</a>
Description:	This AAP covers Southsea town centre and redefines the centre in anticipation of development in the town centre. It contains policies on retail and town centre uses, traffic and access, design and heritage, the public realm and opportunity sites. It was adopted in 2007 as a ten year plan for the centre but is to be reviewed as part of a new Portsmouth Local Plan.

Title:	<b>Somerstown and North Southsea Area Action Plan</b>
Adoption date:	July 2012
Website:	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pln-area-action-plan-somerstown-nsouthsea-jul12.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pln-area-action-plan-somerstown-nsouthsea-jul12.pdf</a>
Description:	This AAP covers the Somerstown and North Southsea part of the city and contains a vision and planning policies to support the regeneration of this area. It is to be reviewed as part of a new Portsmouth Local Plan.



## Other Documents:

Title:	<b>Statement of Community Involvement</b>
Adoption date:	June 2017
Website:	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pln-sci-2017-final.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pln-sci-2017-final.pdf</a>
Description:	The Statement of Community Involvement (SCI) sets out how residents and other stakeholders can be involved in putting together plans for the future of the city and in determining planning applications.

Title:	<b>Community Infrastructure Levy Charging Schedule</b>
Adoption date:	January 2012
Website:	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pln-cil-charging-schedule.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pln-cil-charging-schedule.pdf</a>
Description:	The CIL Charging Schedule sets a locally based infrastructure tariff giving developers more certainty over what they will have to contribute to support infrastructure development. It spreads the cost of providing infrastructure over a wide range of developments and provides a fund to put in the place essential infrastructure to support development. It replaces the Section 106 mechanisms in many cases, although the S106 regime continues for site specific infrastructure and affordable housing. A list of infrastructure which will be or may be provided through CIL is set out in the Regulation 123 list.

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