

# Portsmouth Local Development Scheme

**A Timetable for the Production of Portsmouth's Local Planning Policies**





## **Portsmouth Local Development Scheme**

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

Approved by Portsmouth City Council Cabinet at their meeting of 09 January 2024

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# 1. Introduction

## What is the Local Development Scheme?

- 1.1 This Local Development Scheme (LDS) came into effect on 10 January 2024.
- 1.2 The Council must<sup>1</sup> produce a Local Development Scheme (LDS) to inform residents and other stakeholders about the following:
  - the development plan documents that the City Council is preparing;
  - 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 2020-2040.
- 1.3 Planning Practice Guidance states that the LDS must specify, among other matters, the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publicly and kept up-to-date.

## The Plan Making System

- 1.4 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 that address the priorities for an area and development management policies that deal with more detailed matters.
- 1.5 In Portsmouth, the new Local Plan will set out the vision for the future of the City and the strategy for meeting its development needs up to 2040. 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.
- 1.6 The content of the Local Plan is shaped by engagement with communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. The Council co-operates extensively with neighbouring authorities through the Partnership for South Hampshire (PfSH) on strategic cross-boundary issues. The Council also works with the other minerals and waste planning authorities in Hampshire to plan for sustainable mineral resource use and waste management in the county.
- 1.7 The development plan can also include location specific documents. Neighbourhood plans developed by communities can help to deliver sustainable development in their locality and when made or adopted they form part of the development plan for their neighbourhood. Neighbourhood planning is not a legal requirement but a right which communities in England can choose to use. The Milton Neighbourhood Plan is currently the only made neighbourhood plan in Portsmouth.

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

- 1.8 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 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.
- 1.9 Table 1 sets out all the stages for preparing a local plan.
- 1.10 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. A full list of adopted SPDs can be found on the City Council's website<sup>4</sup>.
- 1.11 The Local Plan is supported by a range of other planning documents adopted by the Council. The Statement of Community Involvement<sup>5</sup> (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<sup>6</sup>, 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*.

<sup>4</sup> [www.portsmouth.gov.uk/services/development-and-planning/supplementary-planning-documents/](http://www.portsmouth.gov.uk/services/development-and-planning/supplementary-planning-documents/)

<sup>5</sup> <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/statement-of-community-involvement/>

<sup>6</sup> <https://www.portsmouth.gov.uk/services/development-and-planning/planning-applications/annual-monitoring-reports/>

**Table 1: Development Plan Preparation Stages**

Stage and Regulation <sup>7</sup>	Description of stage
<b>Preparation (Regulation 18)</b>	This stage consists of one or more formal opportunities for stakeholders to influence and comment on the content of the plan.
<b>Pre-Submission (Regulation 19)</b>	This is the publication of the plan in a form the Council considers to be the sound and legally compliant 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 of the plan.
<b>Submission (Regulation 22)</b>	This is when the plan is submitted by the Council to the Secretary of State and when the examination of the Local Plan starts.
<b>Examination in Public (Regulation 24)</b>	The examination in public consists of both the consideration of written representations and public hearings.
<b>Main Modifications</b>	Consultation on the main modifications to the Local Plan as set out by the Inspector.
<b>Inspector's report (Regulation 25)</b>	Publication of the Inspector's findings in regard to soundness and legal compliance along with main modifications.
<b>Adoption</b>	The final stage in the process is the formal adoption of the Plan by the Council. Once adopted, it forms part of the statutory development plan for the City.

## National Changes

- 1.12 The Levelling Up and Regeneration Act<sup>8</sup> (LURA) was made law on 26 October 2023. When the relevant secondary legislation and regulations are issued, they will make significant changes to the system of plan making in England. Changes to the National Planning Policy Framework (NPPF)<sup>9</sup> were published on 19 December 2023 along with a plethora of Government documents on planning including a Written Ministerial Statement<sup>10</sup> and the Housing Delivery Test<sup>11</sup>. The Written Ministerial Statement states that 'It is only through up-to-date local plans that local authorities can deliver for communities, protect the land and assets that matter most, and create the conditions for more homes to be delivered.' These national announcements and publications do not mean that we need to make any changes to this LDS, but they do re-emphasise the need to progress in a timely fashion with a new local plan for the City. The key dates deadlines that were announced last year and were repeated by the Government on 19 December are that local planning

<sup>7</sup> *The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)*

<sup>8</sup> <https://www.legislation.gov.uk/ukpga/2023/55/enacted>

<sup>9</sup> [https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF_December_2023.pdf)

<sup>10</sup> <https://questions-statements.parliament.uk/written-statements/detail/2023-12-19/hcws161>

<sup>11</sup> <https://www.gov.uk/government/publications/housing-delivery-test-2022-measurement>

authorities are to submit local plans for examination under the current framework by 30 June 2025 and need in general to be adopted by 31 December 2026. Local plans that miss this deadline will need to start afresh under the new system. This would inevitably be very costly for the City Council.



## 2. Portsmouth's Existing Planning Policy Framework

2.1 The existing 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>12</sup>, which provide greater detail on specific Local Plan policies and help guide their implementation. The following SPDs are currently in force:

- The Seafront Masterplan (2021)
- 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)
- Sustainable design and construction (2013)
- Tall Buildings (2012)
- 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 (2023)
- Interim Nutrient Neutral Mitigation Strategy (2022)
- Solent Recreation Mitigation Strategy (2017)
- Community Infrastructure Levy Charging Schedule (2012)

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<sup>12</sup> SPDs can be viewed on the [Planning Policy page](#) of the city council's website.

### 3. The Future Development Plan

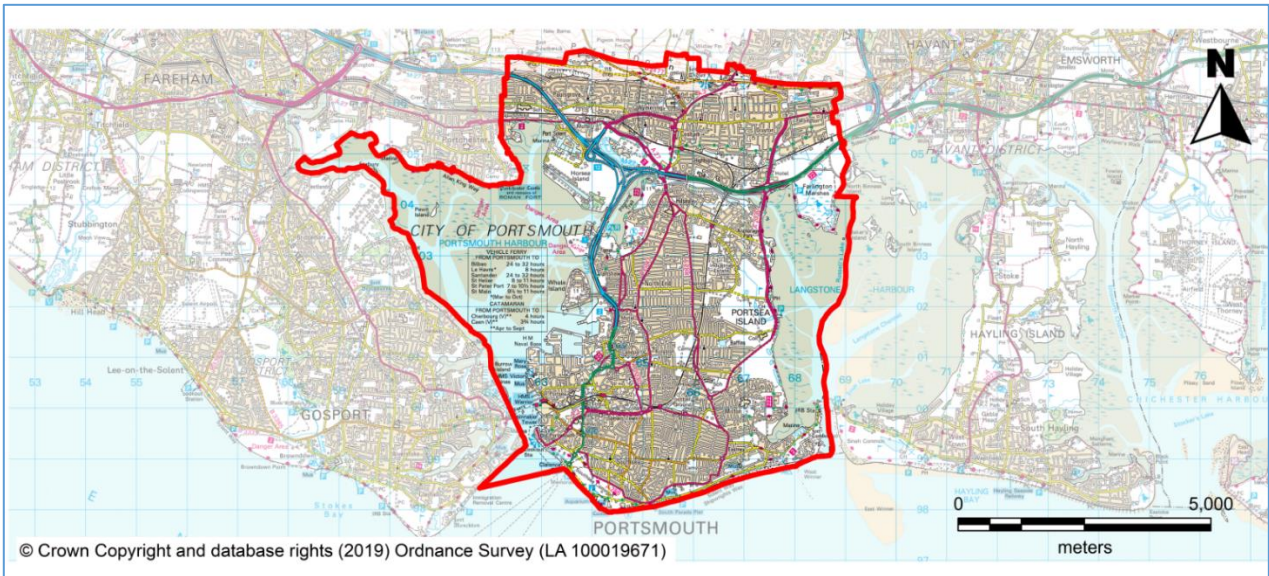
3.1 The main development plan document that the City Council is preparing is the Portsmouth Local Plan. The City Council is also working with the other Hampshire Authorities on the Partial Review of the Hampshire Minerals and Waste Plan. There is one made neighbourhood plan in Portsmouth, the Milton Neighbourhood Plan, and other neighbourhood plans may come forward. One supplementary Planning Document is underway. The timetables and geographical coverage for each of these documents is set out below.

#### Portsmouth Local Plan Timetable

- 3.2 Following on from three Regulation 18 consultations, the City Council is now moving ahead with its Pre-Submission Local Plan. This includes following the updated Guiding Principles adopted by the City Council in October 2023 for development on Tipner West and Horsea Island East, which will be allocated as a strategic site in the Pre-Submission Plan. Officers are also working on final evidence gathering for City-wide studies including housing and employment need, transport and biodiversity net gain. Members and especially the Portfolio Holder for Planning Policy and City Development have been involved in the preparation of the Local Plan throughout. Most recently, there were a number of All Member Local Plan Workshops in which Members provided a steer on both strategic site and city-wide policies.
- 3.3 The Pre-Submission Local Plan will be considered by Members at Cabinet and then Full Council. Subject to approval by Members the Pre-Submission consultation will run for six weeks focused on matters of legal compliance and soundness.
- 3.4 Providing that no matters are raised that the Council consider go to the heart of soundness or legal compliance, then the Portsmouth Local Plan will be submitted for examination. After that, the timetable for the examination is in the hands of the Planning Inspectorate rather than the City Council. Due to imminent changes in the plan making system brought in by the Levelling Up & Regeneration Act, there is likely to a flurry of local plans submitted for examination to avoid the changes. This may well result in delayed examinations.
- 3.5 Assuming that the examination in public goes well, the Inspector is likely to make a number of main modifications that the City Council will need to consider and then consult on. The Inspector will then produce their final report on the Portsmouth Local Plan and the Council will decide whether to adopt its new Local Plan.

The new Portsmouth Local Plan will set out the strategy for development in the city up to 2040.		
Joint production?	No	
<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	✓ September 2021
Pre-Submission Reg 19	Consultation on the proposed Local Plan for submission	Spring 2024
Submission Reg 22	Submission of Plan to Secretary of State	Autumn 2024

Examination Reg 24	Examination of the Plan by an appointed Inspector	Autumn 2024-autumn 2025
	Consultation on Main Modifications	Autumn 2025
Inspector's report Reg 25	Final Inspector's Report	Winter 2025/26
Adoption Reg. 26	Formal adoption of the Local Plan by the Council	Winter 2025/26
<b>Geographical coverage</b>		



## Minerals and Waste

- 3.6 Portsmouth City Council is the minerals planning authority and the waste planning authority for the City. We work with our partner authorities namely Hampshire County Council, Southampton City Council, New Forest National Park Authority and South Downs National Park Authority (collectively known as the Hampshire Authorities) to prepare minerals and waste plans.
- 3.7 A Partial Review of the Hampshire Minerals and Waste Plan is now underway. Full details on plan preparation can be found on the Hampshire County Council website<sup>13</sup>.

## Neighbourhood Plans

- 3.8 The Milton Neighbourhood Plan is currently the only made neighbourhood plan in Portsmouth. A conformity check will be carried out to ensure that this plan conforms with the strategic policies of the emerging Local Plan.
- 3.9 No other neighbourhood planning areas are designated. Should any requests be made to establish neighbourhood forums or neighbourhood planning areas, then the City Council would support the local communities in their endeavours.

## Supplementary Planning Documents

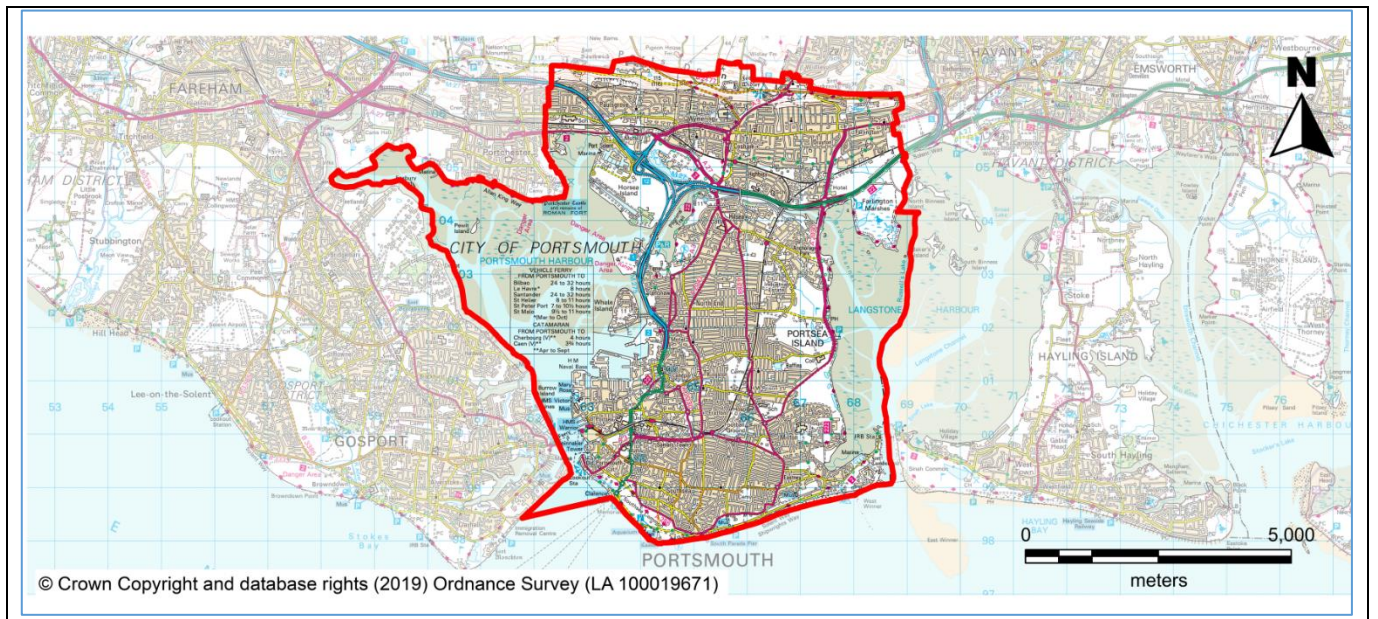
- 3.10 There is already an extensive suite of supplementary planning documents (SPD) in Portsmouth. There is one new SPD currently being prepared namely the Parking SPD. This follows on from the City Council's new Parking Strategy<sup>14</sup>, which was out for public consultation in autumn 2023.

The Parking SPD will set out parking standards for both motorised and non-motorised vehicles in the City		
Joint production?	No	
<b>Timetable for production</b>		
	Public consultation on the Parking Strategy	Autumn 2023
Reg. 13	Representations on SPD	Autumn 2024
Reg 12	Public participation on SPD	Autumn 2024
Reg 14	Adoption of SPD	Spring 2025
<b>Geographical coverage</b>		

<sup>13</sup> [https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan#:~:text=The%20Hampshire%20Minerals%20and%20Waste%20Local%20Development%20Scheme%20\(LDS\)%20has.5pm%20on%204%20June%202021](https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan#:~:text=The%20Hampshire%20Minerals%20and%20Waste%20Local%20Development%20Scheme%20(LDS)%20has.5pm%20on%204%20June%202021)

<sup>14</sup> <https://travel.portsmouth.gov.uk/driving/draft-parking-strategy-consultation/>





## 4. Superseded plans

- 4.1 A number of development plan documents will be superseded by the adoption of the Portsmouth Local Plan.

### Southsea Town Centre Area Action Plan

- 4.2 The Southsea Town Centre Area Action Plan (AAP) was adopted by Portsmouth City Council (PCC) in July 2007. An assessment was done by officers as to whether certain policies from the AAP should be carried forward or whether they would all be superseded by the new Local Plan. The recommendation is that the AAP should be superseded in its entirety for the Portsmouth Local Plan on adoption for the reasons set out below.
- 4.3 The AAP covers a designated area of Southsea Town Centre and was produced to address a decrease in footfall and the potential impact of significant retail proposals in the City Centre at around that time. It was considered that Southsea Town Centre would be facing significant changes and needed to redefine itself to create a clear identity, to protect and develop businesses, drive footfall, and deliver customer loyalty. It was envisaged that the AAP would cover a ten-year period from the date of adoption, which would be an effective period of 2007-2017.
- 4.4 The development management policies in the AAP will be replaced by similar City-wide policies in the Local Plan. There are three allocations in the AAP namely Knight and Lee, Palmerston Road, Grosvenor Casino, Osborne Road and 14-18 Osborne Road. Knight and Lee has planning consent for a mixed-use conversion to provide retail, food and drink/bar, office, hotel, cinema, and gym uses. The other two sites have not come forward for development to date, largely remaining as vacant buildings and land. All three sites will be within the designated boundary for Southsea Town Centre in the new Local Plan and this would place a presumption that main town uses should be delivered as part of any redevelopment scheme, and therefore require active ground floor commercial frontages.

### Somerstown and North Southsea Area Action Plan

- 4.5 The Somerstown and North Southsea AAP was adopted in July 2012 and covers the period 2010-2027. An assessment was done by officers as to whether certain policies from the AAP should be carried forward or whether they would all be superseded by the new Local Plan. The recommendation is that the AAP should be superseded in its entirety by the Portsmouth Local Plan on adoption for the reasons set out below.
- 4.6 The Somerstown and North Southsea area was seen as strategically important within the wider City context. Its proximity to the City Centre, main shopping areas, public transport network, centres of employment and education, leisure attractions and amenities should make it a desirable and attractive place to live. However, that despite significant investment in social and economic regeneration initiatives in recent years, the area continues to perform poorly across a range of deprivation indicators. Low levels of skills and income, and high unemployment, have meant that the residents of Somerstown and North Southsea continue to be excluded from the opportunities offered by Portsmouth's growing economy. Indicators of health,

crime and educational performance show that, while some improvement has been achieved in recent years, the area lags severely behind city averages.

- 4.7 The AAP includes 11 development management policies and 20 sites specific proposals. An assessment was made of all these policies and whether they were still needed. All the development management policies will be covered by new policies in the Portsmouth Local Plan.
- 4.8 The site of the former Horatia and Leamington Houses is within the area covered by the AAP and is proposed for redevelopment through a scheme called Somers Orchard. The redevelopment is on the site of two now demolished tower blocks and the surrounding area comprising site 2 and part of site 3 of the Area Action Plan as well as the park marked as A. It is expected that the application for the Somers Orchard Redevelopment will be submitted in the autumn of 2023. The Director of Housing advised that the AAP provides a useful tool for consulting with the public when looking at development proposals for the area. The successful implementation of projects within the area in the past was highlighted. Overall, it was felt that it was acceptable for the AAP be removed once the Somers Orchard development had come forward. Somers Orchard will be allocated in the new Portsmouth Local Plan.
- 4.9 The Director of Housing is keen to support the ongoing development of the wider estate renewal policy in the emerging Local Plan; overall the focus of the Housing department in regard to estate renewal is shifting to other estates in the city. The Housing and Planning teams will work together to ensure that this policy is developed to support the future aspirations for the Housing and Strategic Development teams.

## **Portsmouth Plan Core Strategy**

- 4.10 The Portsmouth Plan was adopted in 2012 and all its policies will be superseded by the new Portsmouth Local Plan.

## **Portsmouth City Local Plan saved policies**

- 4.11 The Portsmouth City Local Plan was adopted in 2006 and all its saved policies will be superseded by the new Portsmouth Local Plan.

## 5. Monitoring and Review

- 5.1 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.
- 5.2 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 document, which are not currently in the LDS, or any amendments required due to substantial regulatory changes.
- 5.3 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>15</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.

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<sup>15</sup> *The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, S.10a.*



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