

# ED34a

## Response from WCC on the Inspector's Note 12

### Question 1:

*At the end of the first week of hearings, the Inspector requested a note from the Council setting out the implications of changing the Plan period.*

*The Council provided that note to the Inspector towards the end of the hearing session on Thursday 24 April 2025. That has been published as ED25 and sets out the implications of a Plan start date of 2020, 2022 and 2023.*

*To aid deliberations, the Inspector has requested that the Council provide a note that sets out the implications of a Plan period starting at the latest calculation of local housing need i.e. 2024. It should set out the implications for the Plan, with particular regard to its housing trajectory and provision of a 5 year housing land supply on adoption.*

### WCC comment:

The various calculations for changing the start date of the Local Plan have been set out in Appendix 1. In summary this document demonstrates:

5 year Housing Land Supply on Adoption 2025:

Start date of the Local Plan	Years of supply
2020	6.6 years
2022	6.6 years
2024	6.6 years

5 year Housing Land Supply for Decision Making:

Start date of the Local Plan	Years of supply
2020	5.6 years
2022	5.6 years
2024	5.7 years

Start date of the Local Plan	Amount of unmet need allowance (homes)
2020	1,900
2022	1,099
2023	714
2024	290

At the hearing sessions a variety of views were expressed by participants regarding the start date of the Local Plan. The primary point that the Council wishes to make is that any modification to the start date of the Plan must be considered necessary to make the Plan sound. With regards to the test of soundness, the Council is not aware of any specific guidance in either the NPPF or NPPG on what should be the start date for a Local Plan. In view of this, the start date of the Local Plan that is the subject of this examination has been based on professional judgement. Factors

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included in this judgement relate to the availability of some of the evidence base and the early round of public consultation on the council's Strategic Issues and Priorities document which informed the Development Strategy. The council has set out the reasons for the 2020 start date in [Hearing Statement Matter 4: Meeting housing need](#) and why it believes that the start date of 2020 is justified and there is no inconsistency with this approach and national policy.

In addition to this, it is important to note that:

- 1) The Local Plan was submitted for examination in November 2024. Prior to this it has taken a number of years to prepare, test (through studies such as the Strategic Transport Assessment that takes a minimum of a year to complete) and then there needs to be time to consult on a Local Plan before it can be submitted for examination. This is why Officers do not consider a 2024 start date is either a viable or a reasonable scenario. In addition to this, housing completion data is not available from Hampshire County Council until the Autumn of each monitoring year (i.e. housing completions data for the period up to the 31<sup>st</sup> March 2024 is not available until Autumn 2024 which was the date that the Local Plan was submitted for examination). As this is the case, completions can only be based on estimates in the housing trajectory rather than the actual completions. Given these factors it is therefore, not realistic to commence the plan period from 2024. It is also important to note that many local plans have successfully gone through a Local Plan examination which include a start date which is several years in the past at the point of examination.
- 2) As it has been mentioned at the LP examination, the unmet need allowance is a product of the city council meeting the government's standard method, the outcome of a sustainable development strategy and the city council deciding to make a meaningful contribution to the PFSH unmet need (1,900 homes). This unmet need allowance would reduce if the start date of the Local Plan is moved forward. The unmet need provision has already been agreed with other authorities through SOCGs (SD08i and SD08e).
- 3) Changing the start date of the Local Plan would not make any difference to the supply of nutrient mitigation as there are only a finite amount of nutrient mitigation schemes available at the present time.

It is considered that the Plan sets out how the objectively assessed needs of the area will be met, with an additional amount for unmet needs under the Duty to Cooperate. The Council therefore believes that Plan meets the Duty to Cooperate and is effective. Given this, it would be important for the Council and all other interested parties to understand on what basis any change to the start date of the Plan would be justified and by implication why the current approach would be considered unsound and why it would not be 'effective'.

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Whilst noting all of the above points, Appendix 1 to this note has included a start date of 2024 for the Local Plan. This demonstrates the implications of changing the date to 2024 and on the Council's unmet need position and the 5 year housing land supply.

### Question 2:

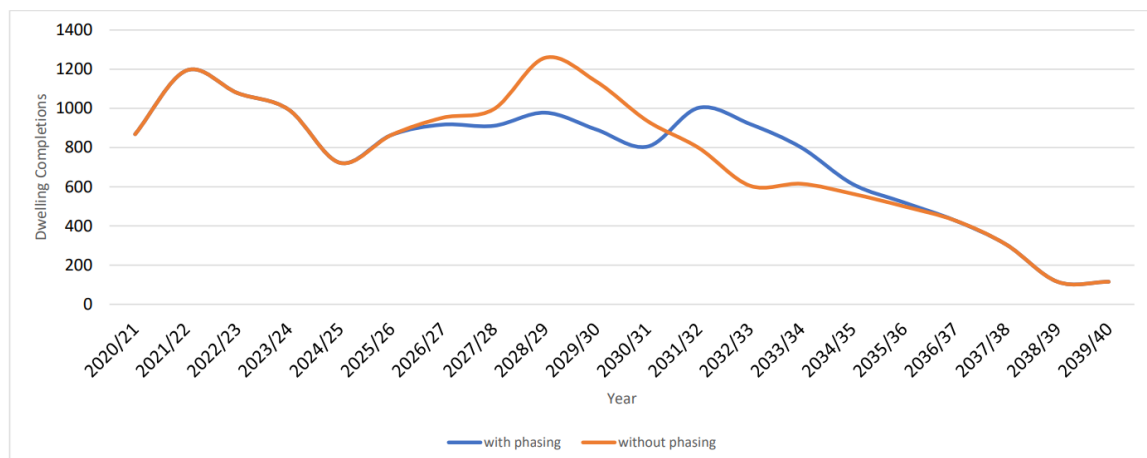
*In addition, Plan Policy H2 sets out a phasing restriction on green field sites. The Inspector requests that the Council sets out the implications for the Plan of deleting this policy. That should include the same matters as above, (based on the Plan period scenarios presented in its notes) in addition to the other matters the Council relies on to justify this policy.*

### WCC comment:

Paragraph 1.69 – 1.72 and Table 1 of [WCC's Hearing Statement Matter 4: Meeting housing need, April 2024](#) sets out the reasons behind the phasing policy. The Housing Topic Paper update (January 2025) ([ED02](#)) identifies in Appendix C: Effects of phasing on housing trajectory using the current Local Plan start date of 2020:

#### Appendix C: Effect of Phasing on Housing Trajectory

(Updating Table at Page 218 of Proposed Submission Local Plan)



As mentioned in the response to the Inspector's questions, apart from trying to manage the delivery of sites across the Local Plan period, one of the other main reasons is ensuring that there is a deliverable supply of nutrient mitigation measures (both nitrates and phosphorous).

It is important to note that dwellings, and development which generates an overnight stay, cannot be occupied unless there is an on or/and off site a suitable nutrient mitigation scheme. On site schemes need to be appropriately secured, and approved by Natural England, and through the DAS process the developer must purchase off site credits through an approved third-party scheme. Identifying

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phosphorous mitigation schemes is harder to address than nitrates (which does not necessarily need to be in the district but in the same catchment area). Unlike nitrogen, the key difference with a phosphorous mitigation scheme is that this form of mitigation needs to be upstream of the increase in water resulting from the proposed development which is why it is more challenging to deliver these schemes. As the availability of these phosphorous schemes is more restrictive, this means that the demand for nutrient mitigation schemes is more than nitrogen.

### **What would be the impact of deleting the phasing policy on nutrients?**

The removal of the phasing policy from the Local Plan would have an impact on the short-term supply of nutrient mitigation (especially phosphorous and nitrogen in the Itchen catchment). However, adopting this Local Plan and planning for an early review of the Local Plan would allow Officers/PfSH time to explore further nutrient mitigation schemes through the programme of delivery via the Local Nutrient Mitigation Fund. This is a government initiative in England that provides grants to local authorities to deliver nutrient mitigation schemes in order to unlock housing. It is further accepted that the market is now also beginning to deliver some nutrient mitigation schemes including phosphorous but any private schemes that were to be brought forward by developers would still need to be agreed and approved by Natural England via their Discretionary Advice Service (DAS).

If Policy H2 was deleted from the Local Plan (and the housing supply numbers were not amended) WCC would have 2.2 years of supply for nitrogen in the Test and Itchen and 2.6 years of supply for phosphorous in the Itchen. It would therefore likely result in a number of planning applications coming forward before 2030 that could not be granted planning permission or implemented following the Development Management stage if there was a shortfall in available nutrient mitigation as there is only a finite supply of this mitigation.

### **Other factors to be taken into consideration.**

From the discussions that have taken place with infrastructure providers as part of the work on the Infrastructure Delivery Plan, there is an issue regarding the capacity of the electricity grid before 2030. Whilst the capacity of the grid is an issue, this is not considered to be such a pressing issue as having a deliverable supply of nutrient mitigation schemes.

To conclude, the council remains of the view that the phasing policy is justified and effective in supporting the planned delivery and coordination of development across the Plan period. However, should the Inspector have concerns regarding the soundness of this policy, the Council would be willing to give further consideration to a Main Modification to delete Policy H2, in the interests of ensuring that the Local Plan as a whole can proceed to adoption. If the Inspector was minded to recommend this as a Main Modification, there would need to be consequential Main Modifications to the phasing criterion in the individual site allocations policies (Policies W4, BW4, NA3, CC2, CC3, CC4, DEN1, WK5, WK6, OT01, SW01 and SU01) and the housing trajectory would need to be updated accordingly.

**WCC 27/05/2024**