

Our Ref: 2023.003

Fidel Miller
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant

Lynnfield House
249 Church Street
Altrincham
WA14 4DZ

By email only to: [REDACTED]

2nd October 2026

Dear Fidel

Re: Southleigh – Deed of Variation

I am pleased to enclose a draft Deed of Variation on behalf of Bloor Homes Limited and landowners¹, relating to a Deed of Statutory Covenants and Agreements dated 7th October 1992. The agreement relates to Land west of Southleigh Road and North of Rowan Road, Havant. It was entered into in respect of the grant of outline planning permission (ref: 90/55725/000) granted on 5th October 1995 on Land at Locks Farm, Southleigh, Havant, for the proposed development of 285 dwellings and a shop, with associated roads, landscaping, public open space, and infrastructure with accesses from Rowan Road. The enclosed draft Deed of Variation, prepared by Bloor Homes' solicitors Gowling WLG (UK) LLP, relates to land in my client's control and known as 'Southleigh' (the site). Southleigh is currently the subject of an outline planning application (ref: APP/26/00324), and forms the majority of draft Allocation 1: Southleigh, within Havant Borough Council's Publication Building a Better Future Local Plan.

The 7th of October planning agreement was entered into between Richard Charles Kirby and Peter Richard Wingate Pemberton (the Trustees of the Southleigh Estate), and Havant Borough Council (the Council). There is also a corresponding agreement with East Hampshire District Council dated 14th October 1992, however the site and draft allocation fall entirely within Havant.

The draft Deed of Variation provides for a variation to Clauses 1 and 2 of the 1992 agreement so that this ceases to apply when any part of the defined 'Restricted Land' has the benefit of an allocation or future planning permission. This is important to note, as the applicant is not seeking to lift the restriction in its entirety, until either the site is allocated or granted planning permission, and will not therefore fetter the Local Planning Authority in undertaking its statutory duties.

Since the agreement was made, several developments have been granted planning permission within the area of 'Restricted Land'. These permissions are shown indicatively on the enclosed Covenant Plan, which also shows the areas where the covenant will remain, together with our site boundary and the draft allocation boundary. Both East Hampshire District Council and Havant Borough Council have agreed to Deeds of Variation in respect of these sites to remove the restriction at Clause 2 for the corresponding site areas which establishes the principle of the variation now sought.

The planning permissions and corresponding Deeds of Variation are set out in Table 1 below.

Table 1 Deeds of Variation relating to Development within the 'Restricted Land'

Location on Covenant Plan	Development Location	Development	Local Planning Authority	Planning Permission Reference	Deed of Variation
1	Land west of Bupa Hospital	Crematorium	East Hampshire	53322/001 granted 9 th March 2012	Made October 2012

¹ See Appendix 1 for Landowner Details

			District Council		
5	Land West of Horndean Road	125 Dwellings	Havant Borough Council	APP/14/00547 granted 29 th April 2015	Made 8 th April 2015
3	Land South of Bartons Road	173 Dwellings	Havant Borough Council	APP/15/01435 granted December 2018	Made November 2016
2	Camp Field, Bartons Road	72 Dwellings	Havant Borough Council	APP/19/00007 granted 5 th October 2020	Made 2 nd October 2020
4	Locks Farm Estate	279 Dwellings	Havant Borough Council	92/51034/000 granted 20 th May 1993	Made 1992

Notably, the Council has not sought to introduce a specific strategic gap local plan policy between Havant and Emsworth to preclude development in this area, and indeed a draft Strategic Housing Allocation has been brought forward for the site as part of the Local Plan review process.

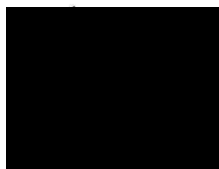
Southleigh has been identified for some time as a potential allocation by Havant Council. It was included as allocation KP5 in the now withdrawn Regulation 19 pre-submission version of the Havant Local Plan and has been retained as an allocation within the Regulation 18 and 19 consultation stages of the emerging Building a Better Future Local Plan. The Publication Building a Better Future Local Plan is due to be submitted for examination in December 2026 and is at an advanced stage in the plan process.

It is noted that the Council's emerging Plan does not currently plan for sufficient homes to meet housing need. The Council's Five-Year Housing Land Supply Update (December 2025) indicates a supply of 1,401 homes between 2025/26-2027/28. Without a buffer, this is a supply of 1.6 years; with a 5% buffer a supply of 1.5 years; and with a 20% buffer, 1.3 years. Due to much of the borough already comprising built development and wider constraints in the remainder of the borough, Havant Borough Council are only proposing to meet around 40% of its identified housing need; therefore, the delivery of the Southleigh site is vital in this context.

It is therefore considered pertinent to vary the 1992 agreement via Deed of Variation and critically, the variation sought would not prejudice the Council in terms of their production of the Local Plan or the determination of the associated planning application as controls would remain in place (as proposed) until either has occurred.

Should you have any questions relating to the draft Deed of Variation or this letter, please do not hesitate to get in touch.

Yours sincerely,



Rob White
Director

For and on behalf of White Peak Planning Ltd.

Cc: Rebecca Fenn-Tripp, Bloor Homes

*Enclosed: Covenant Plan
Draft Deed of Variation
Variation to S106 Agreement Application Form
Variation to S106 Agreement Notice and Ownership Certificate*

Appendix 1 – Landowner Details

Philip Dymoke White, Fiona Elizabeth White and Alexander Stuart Dymoke White (Trustees of Philip White's Leydene Settlement)

Giles Alexander Lee Dobson, Hugh Lynton Wernham and St Andrew Trustees Limited (Trustees of the Katie Wernham Legacy Fund)

Hugh Lynton Wernham

Giles Alexander Lee Dobson, Robert Newnham Stuart White and Charles Robert Hutton (Trustees of Robert White's Leydene Settlement)

Alexander Stuart Dymoke White, Emelia Louise Gore Browne and Annabel Madeleine White