

**Rt Hon Angela Rayner MP**

Deputy Prime Minister and Secretary of State for  
Housing, Communities and Local Government

*By email:*

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**Councillor Steve Pitt**

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Dear Secretary of State

I am writing to complain in the strongest possible terms about your treatment of Portsmouth City Council in regard to the draft site allocation of Tipner West & Horsea Island East in the emerging Portsmouth Local Plan.

This is a site that national Government allocated a considerable amount of public funds to as part of City Deal in order to deliver much needed jobs and homes in one of the most deprived areas of the country. The long-agreed intention was to deliver a regionally significant marine hub on the last waterside site left on the Solent capable of deepwater access.

The City Council has worked tirelessly with partners over the last few years exploring how this hub could be allocated for development. Due to the known likelihood that any marine hub development on the site would cause harm to the international conservation designations in which it was located, Portsmouth Harbour Special Protection Area (SPA) / Ramsar, it was understood that the statutory derogations tests would have to be passed in order for the site to be allocated in the Local Plan. This included the test of Imperative Reasons of Overriding Public Interest (IROPI).

In order to smooth the passage of this work, a detailed request for an IROPI opinion was made in April 2023. A letter was received in September of the same year that the request was premature. During the summer of 2024 when your Government was elected to power, discussions were held with officials of your department. They encouraged us to submit a second request for an opinion, which they would strive to answer before we submitted the Plan for examination. The second request including comprehensive details on the other derogation tests of alternatives and compensation was sent in September 2024. Despite much prompting, an IROPI opinion or indeed any meaningful response was not forthcoming for five months.

An ill-considered and indeed unlawful IROPI Opinion was finally sent by your department under the direction of your Minister of State for Housing and Planning, Matthew Pennycook on 28 February. This derisory letter failed to engage with the complex arguments set out in our IROPI request. Indeed, we set out in detail in our Pre-Action Protocol letter of 10 March that the Opinion was unlawful on three grounds:

1. The Secretary of State misdirected herself in law by applying the wrong test to circumstances where no priority habitats or species are likely to be affected.
2. The Secretary of State failed to give adequate reasons for her opinion that each of the grounds relied on by the City Council, individually and cumulatively, did not constitute IROPI;
3. The Secretary of State's opinion was irrational because it was based on flawed reasoning and failed to have regard to obviously material considerations.

Having accepted that your opinion was unlawful, you withdrew your Opinion by letter on 09 May 2025.

This leaves the City Council in an unprecedented position in regard to its Local Plan. We were ready but then unable to submit the Plan for examination at the beginning of March due to your original IROPI Opinion. Cabinet agreed a new Local Development Scheme within two months of receiving your letter, which sets out how we will prepare a Local Plan Addendum with a new policy for Tipner. However, we do not have your opinion on whether there are IROPI to enable the development of the site notwithstanding the adverse effects on protected habitats. Your latest letter says that you are re-considering the matter with the intention of providing details of the redetermination as soon as possible. I would urge you to do that as a matter of urgency. If you conclude, for lawful reasons, that there are not IROPI justifying the current draft Policy PLP3, I invite you to provide as much clarity as possible as to whether (and if so how) IROPI could be established for the delivery of a regionally significant marine and employment hub on the site.

That question is directly relevant to the City Deal, which we will need to discuss with Government following the IROPI Opinion. Without limited dredging and land reclamation a regionally significant marine hub with deepwater access is no longer possible. The planned redevelopment of the site would have delivered sea defences for otherwise unprotected neighbouring communities and prevented leachates seeping into and contaminating the Harbour. This vital work would have been funded through cross-subsidisation of housing. I would like to meet with you as a matter of urgency to discuss these matters.

I am deeply disappointed by your ill-considered and indeed unlawful actions in regard to Tipner and the wider City of Portsmouth. I urge you and your Government to engage constructively and speedily on Tipner both in regard to the City Deal and the emerging Local Plan allocation. Without swift action the site and surrounding areas will flood and contamination will wash into the sea destroying both people and nature. Please note that this letter will be published on the City Council's website.

Yours sincerely



**Councillor Steve Pitt**

Leader, Portsmouth City Council

Cabinet Member for Leisure, Culture & Economic Development

Copies to:

- Matthew Pennycook MP, Minister of State for Housing and Planning - [matthew.pennycook.mp@parliament.uk](mailto:matthew.pennycook.mp@parliament.uk)
- Amanda Martin MP, member of parliament for Portsmouth North - [amanda.martin.mp@parliament.uk](mailto:amanda.martin.mp@parliament.uk)
- Stephen Morgan MP, member of parliament for Portsmouth South - [stephen.morgan.mp@parliament.uk](mailto:stephen.morgan.mp@parliament.uk)