Fareham Borough Council

THE LOCAL PLAN PART 2: DEVELOPMENT SITES AND POLICIES

ISSUES AND QUESTIONS

Including draft timetable

September 2014

Claire Jones-Hughes – Programme Officer
Tel 01273 381518

INDEPENDENT EXAMINATION OF THE FAREHAM LOCAL PLAN PART 2: DEVELOPMENT SITES AND POLICIES (LP2)

Venue: The hearing sessions will be held in the Civic Centre, Civic Way, Fareham commencing on Tuesday 10th November at 10.00am.

Council: Fareham Borough Council will be participating in all hearing sessions.

Statement deadlines:

All Statements, for the Hearing Sessions must be sent to the Programme Officer by **midday on Friday 24th October 2014.** This deadline relates to the receipt of both the **paper and electronic copies**.

Statements:

The Inspector requests written responses from the Council to all the matters raised.

Written Statements from Representors are not compulsory but if Representors feel a Statement is warranted they should seek only to answer the Inspector's Questions as far as they relate to their original representations.

The examination starts from the assumption that the Council has submitted what it considers to be a sound Plan and that the Council has fulfilled its legal duty with regard to the Duty to Co-operate. The hearings will therefore be concerned only with considerations relating to the soundness of the document and the legality of the process followed, and all submissions should address those issues as appropriate.

The Guidance Notes provided set out the requirements for the presentation of all Statements. Its provisions should be thoroughly read and implemented as otherwise Statements could be returned. Please note the 3,000 word limit.

In the Statements from respondents it would be very helpful for the Inspector to have a brief concluding section stating:

what part of the Plan is unsound;
which soundness criterion it fails;
why it fails (point to the key parts of your original representations);
how the Plan can be made sound; and
the precise change and/or wording that you are seeking.

The Inspector will give equal weight to views put orally or in writing.

If you have any queries – please contact the Programme Officer
Tel: 01273 381518 (Mob 07737 786425) or by e-mail at bankssolutionsuk@gmail.com

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ISSUES AND QUESTIONS

Preamble

If the Inspector is satisfied that an Issue or question has been satisfactorily addressed in the submitted Statements it is possible that it may not be included in the final Agenda. Consequently the timetable and lists of participants may be subject to change, so please contact the Programme Officer or view the programme on the Examination page of the Council's web-site.

Tuesday 11th November - 10.00

Introduction by the Inspector

Opening Statement by the Council

Issue 1 – The Duty to Co-operate, Legal Requirements, Sustainable Development (DSP1) and the Relationship between the LP2, the Core Strategy and other Planning Documents

Potential Participants

Fareham Borough Council
Mr P Thomas (for Coastal Waterwatch Ltd)
Gemma Care (for Hallam Land Management Ltd)
Mrs A Wood (for Mr and Mrs N Kendall)
Mr M Plaw (for Mitchells and Butler)
Mr T Moody (for Village Green plc)

Questions

1.1 Has the Duty to Co-operate been complied with?

1.2 Have any cross-boundary strategic priorities or issues been identified? If so are they clearly identified in LP2?

1.3 Has LP2 been prepared in accordance with:

- the local development scheme
- the Council's Statement of Community Involvement and public consultation requirements (SCI)
- national policy in the NPPF
- the Sustainable Community Strategy
- the Public Sector Equality Duty

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1.4 Is LP2 based on a sound process of sustainability appraisal and testing of reasonable alternatives, and does it represent the most appropriate strategy in the circumstances? Has the site selection process been objective and based on appropriate criteria? Is there clear evidence demonstrating how and why the preferred strategy was selected? Will the policies and proposals in the plan contribute to the sustainable growth of the Borough?

1.5 Have the requirements of the Habitats Regulations been satisfied?

1.6 Is the relationship between LP2 and the adopted Core Strategy (CS) sufficiently clear? Is the plan consistent with the overall objectives of the CS? (see also question 7.1)

1.7 The Design SPD is not scheduled for publication until later in the year. Nevertheless there are a number of references to it in the policies of LP2. Firstly is it appropriate to refer to a document which has not been published? Secondly, even if a reference is justified, this SPD will have less weight than LP2 when adopted because it has not been through the same statutory process and therefore would it be more appropriate for any specific references to the 'non-statutory' document to be made within the supporting text rather than within a 'statutory' policy?

Tuesday 11th November - 14.00

Issue 2: The Existing Settlements (DSP2 – DSP6)

Potential Participants

Fareham Borough Council
English Heritage
Mr D Marlow
Mr R Tutton
Mr R Daniels (for Sustainable Land plc)
Mr B Jezeph (for Mr A Lawrence)
Gemma Care (for Hallam Land Management)
Mrs C Jezeph (for Mr and Mrs Roughton-Bentley)

Questions

2.1 Why have the defined urban settlement boundaries not been subject to review, for example as anticipated for Fareham in paragraph 5.27 of the Core Strategy? Does the Council's approach reflect the most appropriate strategy in the circumstances? Is the lack of a settlement boundary for Burridge justified?

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2.2 Is the review of Strategic Gap boundaries sufficiently robust? Have the appropriate criteria been used in the assessment? Were proposed road schemes taken into account?

2.3 Is policy DSP2 sufficiently detailed? Is it sufficiently clear how a decision maker should interpret this policy?

2.4 Is the requirement for a legal agreement on Ransom Strips, as set out in policy DSP5, appropriate and justified, particularly having regard to national advice on planning obligations?

2.5 Is the Council's commitment to the conservation and enhancement of the historic environment of the Borough based on appropriate evidence and clearly demonstrated in LP2? Has it identified the historic assets within the Borough, including those at risk? Should there be a reference to protecting the historic shipwreck of the Grace Dieu?

Wednesday 12th November - 10.00

Issue 3: The Natural Environment (DSP7 to DSP16)

Potential Participants

Fareham Borough Council
Mr R Daniels (for Sustainable Land plc)
Mrs A Wood (for Mr and Mrs Combs)
Mr M Plaw (for Mitchells and Butler)
Mr B Jezeph (for Mr A Lawrence)
Gemma Care (for Hallam Land Management)
Mr A Wells (for Atherfold Ltd)
Mr D Marlow
Mr I Butler (for Park Holidays UK)

Questions

3.1 Is the Council's approach to residential development (including frontage infill) outside the settlement boundaries justified (policy DSP7)?

3.2 Is policy DSP7 compatible with Core Strategy policy CS14? Is the Council's approach to the change of use to garden land outside the urban settlement boundary justified?

3.3 Is policy DSP11 relating to Solent Breezes Holiday Park justified, particularly in relation to restricting the holiday use on a seasonal basis?

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3.4 Is the evidence in the Greenspace Study sufficiently up-to-date and accurate? It is not clear in paragraph 4.22 what the open space deficiency in the Borough is, or whether the two open space allocations will meet that deficiency. Should greater clarity be provided?

3.5 Is the Council's approach to leisure and recreation development, including the location of hotels, justified?

3.6 Is the identification of land at Crofton Cliff, Crofton Avenue, Lee-on-the-Solent as public open space justified and capable of implementation?

3.7 Is the Council's position with regard to the provision of essential green infrastructure sufficiently clear?

3.8 Is policy DSP14 justified and is the policies map correct with regard to the identification of 'uncertain' and important' sites for Brent Geese and /or Waders?

3.9 Is the approach encapsulated in policy DSP15 the most appropriate strategy in the circumstances and is it compatible with the approach adopted by nearby local planning authorities?

3.10 What is the Solent Disturbance and Mitigation Project and how much weight should be attached to it? Is it appropriate to refer to it in the policy (DSP15)? Should it be included in the Glossary of Terms?

Wednesday 12th November - 14.00

Issue 4: Employment (including Development Site Briefs) (DSP17 – DSP19)

Potential Participants

Fareham Borough Council
Mr W A Charles (for Arlington Business Parks)
Mr D Williams (for Lidl UK)
Mr M Hawthorne (for Mr G Moyse)
Mr C Corcoran (for Mr and Mrs Sibley)
Mr D Marlow

Questions

4.1 Are all the employment policies and proposals consistent with national guidance?

4.2 Has the Council attached appropriate weight to the findings of the Fareham Employment Study – Final Report (Jan 2014)?

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4.3 The Core Strategy includes a requirement for 41,000 m² of employment floor space between 2006 and 2026 (policy CS1). The Employment Study (2014) recommends a requirement of 100,000 m² for 2011 to 2026. Five sites are allocated for employment in policy DSP18 but although the Development Briefs for those sites identify the site area, there is no reference to floor space provision. Is the Council's approach sufficiently clear and will decision makers know how to react to a development proposal? If not how should it be clarified? What is the reasoning behind the categorisation of employment sources as set out in Table 3 (paragraph 5.7)?

4.4 Is policy DSP17 sufficiently flexible and reflective of the advice in the NPPF (e.g. para 22)?

4.5 What is the justification for the allocation of the Solent 2 site for employment uses and is it reasonable? Is paragraph 5.23 of the plan factually correct?

4.6 What evidence is there, of consideration of cross-boundary employment issues between Fareham BC, Winchester CC and Portsmouth CC particularly with regard to the need to allocate land at Solent Business Park?

4.7 Is the allocation of Little Park Farm (E2) justified? Can it be delivered?

4.8 What is the Council's approach to proposals for open storage? Should it be reflected in the plan?

4.9 Are the employment allocations based on a sound assessment of land availability and delivery? Is there any evidence that any of the sites are not viable and deliverable? Can it be satisfactorily demonstrated that any of the employment sites proposed by the Council are not sound? If so is there any evidence that would enable a conclusion to be drawn that the allocation of any of the following suggested sites would be sound:

(i) Land to the north of junction 11 of the M27, Fareham (DREP389);

(ii) Land at Pinks Hill, Wallington (DREP504) – to include open storage uses; or

(iii) Land between Southampton Road and Segensworth Road (DREP400) - also to include housing.

Have these sites been subject to an adequate sustainability appraisal and appropriate public consultation?

4.10 Bearing in mind the Development Site Briefs are intended only as a guide, do they provide sufficient information to provide a decision maker a clear indication of how to react to a development proposal?

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Thursday 13th November - 10.00

Issue 5: Locks Heath and Portchester District Centres and other Retail Policies (DSP34 – DSP39)

Potential Participants

Fareham Borough Council
Mr T Stocker (for Q Garden Company)
Mr D Williams (for Lidl UK)
Mr D McLeod
Mr G Bruce
Mr D Machon
Mr K Brown
Mr G Wadey
Mr A Sayle
Mrs M Egan

Questions

5.1 Is the provision of additional retail floorspace in Portchester justified and if so is the extension of the Portchester District Centre the most appropriate strategy?

5.2 Is policy DSP36 sufficiently clear with regard to car parking provision and the scale of retail development that might be appropriate? Are there any impediments to the delivery of policy DSP36?

5.3 Is there any evidence that development at Locks Heath District Centre would prejudice development at Heath Road (housing site H11)?

5.4 Should policy DSP37 include a reference to the Council's approach to development at existing garden centres?

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Thursday 13th November - 14.00

Issue 6: Fareham Town Centre (DSP20 – DSP33)

(Hearing session may not be required)

Potential Participants

Fareham Borough Council

Question

6.1 Are policies DSP25 to DSP27 and DSP29 to DSP32 viable and deliverable? Is appropriate weight attached to the need for appropriate high quality layout and design?

Tuesday 18th November - 10.00

Issue 7: Housing Allocations including alternative sites for consideration (DSP40)

Potential Participants

Fareham Borough
Mr J Bailey (for Stone Falconer Ltd)
Mr R Daniels (for Sustainable Land plc)
Mr M Knappett (for Mr S Dunleavy and for Persimmon Homes)
Mr T Moody (for Village Green plc and for Linden Homes)
Mr M Plaw (for Mitchells and Butlers)
Mr R Tutton (for Mr J Marriot)
Miss N Vines (for Milton Healthcare Ltd)
Mr Nick Perrins (for Persimmon Homes and Dunley Estates Ltd)
Mrs C Jezeph (for Mr J Figgis)
Mr G Hall
Mr D Marlow
Ms Mary Leth
Mrs Anna Blyth

Questions

7.1 Bearing in mind the legal judgement referred to in my Question 1 to the Council (and the Council's response), is the Council's approach towards the identified housing requirement justified and in all other respects sound?

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7.2 What is the relationship between this plan and the Welborne Plan in terms of housing supply, particularly with reference to the number of houses now being proposed at Welborne?

7.3 Is the Council's approach to housing provision justified? Are the elements in Table 4 relating to the projected housing supply based on proportionate evidence?

7.4 What is the status of the South Hampshire Strategy and how much weight should be attached to it?

7.5 Are the proposed housing allocations based on a sound assessment of land availability and delivery? Is there any evidence that any of the housing sites being proposed by the Council are not viable or deliverable? If it can be satisfactorily demonstrated that a proposed housing site is not sound, is there any evidence that would enable a conclusion to be drawn that the allocation of any of the following suggested sites would be sound:

1. North and South of Funtley Road (DREP386);
2. Land at Holly Hill Lane, Sarisbury (DREP394);
3. West of Maurant Drive, Portchester (DREP395);
4. Peak Lane Nurseries, Peak Lane, Fareham (DREP398);
5. Posbrook Lane, Titchfield (DREP399);
6. The Navigator, Lower Swanwick (DREP403);
7. Brook Avenue, Warsash (DREP404);
8. East of Newgate Lane (DREP405);
9. Old Manor, Crofton (DREP406);
10. North of Cranleigh Road, Portchester (DREP407);
11. East of Bye Road, Swanwick (DREP408);
12. Cartwright Road, Titchfield (DREP410);
13. 69 Botley Road, Park Gate (DREP411);
14. South of Oakcroft Lane, Stubbington (DREP413);
15. Village Inn, Botley Road (DREP415);
16. Hope Lodge, Fareham Park Road (DREP508);
17. Station Road/A27 at Portchester (DREP511);
18. Land off Greenaway Lane, Warsash (DREP514);
19. Land off St Margarets Lane, Titchfield (DREP515);
20. Land at Botley Road, Burridge (DREP516); and
21. Newlands (south of Longfield Avenue, Fareham) (DREP519).

Have these non-allocated sites that are being promoted by representors (and sites where a different land use is being proposed) been subject to sustainability appraisal compatible with that for LP2 and to public consultation? Are the sites deliverable?

7.6 Are the suggested housing mix and densities of the allocated housing sites appropriate and justified? Are the boundaries correctly defined?

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7.7 Is policy DSP40 sufficiently flexible to accommodate changing circumstances (e.g. in relation to delivery)? What Is the Council's fall-back position in the event that development does not come forward as expected?

7.8 What evidence is there that the Council has considered the advice in paragraph 54 of the NPPF regarding allowing some market housing in the countryside in order to facilitate affordable housing provision?

7.9 Is the Council's reference to self-build homes in the supporting text sufficient to ensure the delivery of such development?

Wednesday 19th November - 10.00

Issue 8: Other Housing Issues – including gypsies (DSP41 – DSP47)

Potential Participants

Fareham Borough Council
Mr B Jezeph (for Mr W Tracy)

Questions

8.1 Does the plan do sufficient to meet the needs of the elderly? Should sites be identified which may be suitable for elderly persons housing?

8.2 Is the allocation of land for a gypsy and traveller site at The Retreat, Newgate Lane, justified?

8.3 Is criterion (vi) of policy DSP47 sufficiently clear? Does it relate to the living conditions of both existing residents and the gypsies and travellers? Should it include a reference to noise and odour?

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Wednesday 19th November - 14.00

Issue 9: Facilities and Infrastructure (DSP48 – DSP56)

Potential Participants

Fareham Borough Council
Mr R Daniels (for Sustainable Land plc)

Questions

9.1 Is the plan supported by robust and up-to-date information on infrastructure requirements and their delivery?

9.2 Do policies DSP49 and DSP50 accurately reflect the aspirations of the County Council as Highway Authority?

9.3 Is policy DSP50 justified bearing in mind the uncertainty with regard to delivery?

9.4 Is sufficient weight attached to meeting the needs of cyclists and pedestrians? If not what changes should be made to the plan?

9.5 Is sufficient weight attached to the need to improve air quality in the Borough, particularly in the Air Quality Management Areas?

9.6 Does policy DSP56 constitute 'a positive strategy to promote energy from renewable and low carbon sources' (NPPF paragraph 97)?

Thursday 20th November - 10.00

(Hearing Session may not be required)

Issue 10: Delivery and Monitoring (Chapter 8)

Potential Participants

Fareham Borough Council

Questions

10.1 In order for the plan to be found sound it must be effective. In order to test its effectiveness over the course of the plan period it must be capable of appropriate monitoring. Table 5

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lists the targets and indicators but is the Schedule sufficiently detailed? How would the Council respond if the targets were not being achieved?

10.2 What are the main risks to delivery; does the Council have an appropriate fall-back position; and is there sufficient flexibility to accommodate any unforeseen circumstances? What are the triggers for a review of the document?

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