

Ref: DREP/413 – Persimmon Homes (South Coast)

- 1.1 On behalf of our client Persimmon Homes (South Coast) Ref: DREP/413) we make the following comments to the Council's actions arising from the Local Plan Part 2 – Development Sites and Policies Plan Examination in Public.

DCD- 20: Issue 2: The Existing Settlements

The suitability of the methodology in the Fareham Borough Gap Review (DNE05)

- 1.2 It is noted that the Council's Issue 2 statement confirms that additional criteria relating to secondary purposes of gaps (over and above those set out in CS22) were used in the Strategic Gap review. The response from David Hares Associates identifies that this was part of the brief in order to reflect the guidance set out in the related PUSH Gap Policy Framework.
- 1.3 It should be noted, however, that the PUSH Policy Framework on gaps was adopted in 2008 and therefore pre-dates both the adoption of the Core Strategy and the publication of the NPPF (within which there is no support for gap policy).
- 1.4 The resultant effect of including the additional methodology criteria is the inclusion of significantly more land than is necessary to prevent the coalescence of settlements, which is in direct conflict with CS22 criterion (c).
- 1.5 In summary, the Council's response confirms the concerns expressed at the hearing that the methodology used went beyond the explicit requirements set out in CS22 and therefore not a suitable basis for the review.

DCD- 24: Issue 7: Housing Allocations including alternative sites for consideration (DSP40)

Council to confirm with PUSH the timescale for delivery of the review of the South Hampshire Strategy

- 1.6 We note that the Council's response simply replicates the timetable already put forward during the Local Plan Part 2 Examination hearing sessions. Given the concern raised at the hearings about whether the South Hampshire Strategy (SHS) timetable was realistic, we would have expected further confirmation direct from PUSH that the review remains on course to be met.
- 1.7 In particular, there are various milestones within the timetable that were due to be completed in the period May and December 2014, and an update on the progress of these would have been useful to indicate whether the SHS review timetable is on track. No such update is forthcoming in FBC's Issue 7 response.
- 1.8 It is also relevant to consider the concerns raised by Eastleigh Borough Council (EBC) Local Plan Inspector in November 2014 (**Appendix 1**) in respect of the effect of delaying a local plan review until after the SHS review has been completed.

- 1.9 In that case, a proposed early review by EBC was rejected by the Inspector given the timescales involved with the SHS review and the need for EBC to tackle issues that exist now rather than in several years time. We contend the same approach should be applied here and FBC's planned review start immediately.

Council to explain the content of the 2014 PUSH SHMA, the weight that has been attached to it, and the implications for LP2

- 1.10 We note paragraph 2.6 of FBC's Issue 7 statement confirms that the PUSH SHMA 2014 represents the most up to date ('policy off') objectively assessed housing needs evidence for Fareham. This supports our position that the Core Strategy housing requirement is now out of date and should no longer be relied upon when allocating land and determining five year land supply as the Council seek to do.
- 1.11 In respect of the weight that should have been attached to the PUSH SHMA, the NPPF is unequivocal at para 14 that Local Plans must meet their area's needs in full unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. No evidence has been presented to show that there would be any significant adverse impacts of planning to meet the up-to-date PUSH SHMA OAN figure of 395 dpa in Local Plan Part 2.
- 1.12 NPPF para 47 also confirms that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework. NPPF Para 158 confirms that LPAs should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence. We consider that the PUSH SHMA is relevant and up-to-date evidence and should have been used to inform Local Plan Part 2 and housing allocations.
- 1.13 The effect of not considering the PUSH SHMA evidence at this stage will result in FBC's adopting a suite of local plan documents that will not have been based on up-to-date evidence base or set out an appropriate strategy to meet the full objectively assessed needs for Fareham. This is clearly contrary to the NPPF and raises fundamental concerns with the soundness of the plan. In this context it is surprising that FBC have given 'very little weight' to the PUSH SHMA evidence.
- 1.14 Instead, FBC propose to give weight to the PUSH SHMA evidence only once it has been incorporated within the non-statutory SHS review to be adopted by 2016, which will then inform a comprehensive Fareham Local Plan review to be adopted by 2018.
- 1.15 However, by the time the proposed FBC Local Plan review is concluded in 2018, 7 years would have elapsed since the adoption of the already out-of-date 2011 Core Strategy housing requirement. This is clearly too long a timeframe given that up-to-date PUSH SHMA evidence on OAN exists now and the implications this will have on meeting the Borough's true housing needs during this period.
- 1.16 It is also relevant to consider the recent findings of Eastleigh Local Plan Inspector set out in **Appendix 1** of this report. Key conclusions relevant to the Fareham Local Plan Part 2 and weight that should be given to the PUSH SHMA evidence are as follows:

- EBC sought to take forward an approach below the 2014 PUSH SHMA minimum recommendations. The Inspector rejected this and confirmed that the SHMA 2014, whilst needing to be refined within each area, represents the most up-to-date available evidence on housing needs and provides a sound starting point for establishing the OAN in Eastleigh.
- It is noted that Eastleigh are now already calculating five year land supply against the PUSH SHMA 615 dpa following the Inspector's conclusions, which highlights that weight can be given to it in advance of the consideration of 'policy on' constraints;
- The Inspector rejected EBC's proposal to delay the further consideration of OAN until after than SHS process. This was due to the PUSH SHS process being time consuming and creates delay in local plans;
- In concluding, the Inspector highlighted that the NPPF requires every effort to be made to meet needs and saw no justification for delaying the proper consideration of OAN for 2-3 years pending a review of the plan.

1.17 It is evident that there are clear parallels with review approach proposed by FBC and that recently found to be unsound in Eastleigh. Accordingly, we consider that FBC should be required to start its local plan review process immediately and not await the outcome of the SHS review. It is clearly feasible for FBC to undertake this work alongside PUSH and align the timetables closely rather than to actively build in delay in meeting OAN as the Council seeks to do.

1.18 We also request that should the Inspector be minded to recommend adoption of Local Plan Part 2, additional land such as our client's Land South of Oakcroft Lane site is still allocated in the plan.

1.19 The allocation of sites such as Land South of Oakcroft Lane would enable the Council to maintain a more robust land supply position that will respond positively and rapidly (in accordance with para 14 of the NPPF) to the inevitable increase in housing requirement that will arise once the latest PUSH SHMA OAN evidence is given weight by FBC and taken forward.

Council to explain the relationship between housing at Welborne and the rest of the Borough

1.20 We do not consider that the Council's Issue 7 response provides adequate clarification on the relationship between Welborne and the rest of the Borough as requested by the Inspector.

1.21 In particular, the Council's response does not make any mention of the role Welborne will play in meeting Fareham's housing needs. It was explicitly stated by FBC during the hearing sessions that the early phases of Welborne are required to meet the needs of Fareham alone with the later phases of delivery meeting the sub-regional component. This statement expressed verbally at the hearing sessions has not been expanded upon or clarified in this latest response by FBC.

1.22 Therefore, the role of Welborne in meeting the housing needs in Fareham remains unclear. Given the evidence of housing need in the PUSH SHMA, which recommends a minimum figure of 395 dpa per annum for Fareham, it is reasonable to conclude that a significant proportion of the Welborne supply will now be required to meet Fareham's true housing needs rather than being ring-fenced for sub-regional delivery.

1.23 In this context, and in the absence of any further clarification from FBC on this issue, we maintain that additional land such as Land South of Oakcroft Lane needs to be allocated in Local Plan Part 2 to address the existing shortfall in capacity at Welborne as well as to provide sufficient contingency to protect against delay in delivery over the plan period.

Council to set out their approach to increasing flexibility through the re-wording of Policy DS40.

1.24 We agree with the Council's acknowledgement at paragraph 4.3 that a reliance on a finite supply of urban area sites is unlikely to be sufficiently flexible in relation to dealing with unforeseen changes in the delivery and supply of housing.

1.25 The most appropriate mechanism to deal with this is to allocate more land now within Local Plan Part 2 rather than to rely upon FBC's proposed amendment to DS40 to allow sites outside of settlement boundaries to come forward where the Council cannot demonstrate a five year land supply.

1.26 Notwithstanding our position on this, should the Inspector be minded to consider including the DS40 amendment, we strongly object to the references to the five year supply being calculated against the Core Strategy housing requirement. For the reasons expanded upon earlier in these representations the Core Strategy requirement is out-of-date and no longer an appropriate basis to calculate five year supply.

1.27 This approach is also contrary to para 031 of the NPPG guidance on calculating five year supply, which states:

"Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.

Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints."

(Our emphasis)

1.28 If the proposed DS40 policy change is to be taken forward it must refer to five year supply being calculated against OAN need for Fareham as set out in the PUSH SHMA and not to the obsolete Core Strategy requirement.

- 1.29 However, given that it is inevitable that the housing numbers in Fareham will need to go up significantly in the near future once the SHS is published, as previously stated a more appropriate approach would be to allocate suitable sites such as Land South of Oakcroft Lane in Local Plan Part 2.
- 1.30 Additional allocations in Local Plan Part 2 would provide the necessary certainty where development will take place as well as flexibility in the short term to maintain a plan led approach to five year supply, rather than the inevitable planning by appeal approach that will arise from the proposed amendment to DS40 and reliance upon the out-of-date Core Strategy housing requirement.

Council to set out the Council's approach to ensure that sufficient affordable housing is delivered within the Borough.

- 1.31 We note that the Council's statement confirms that the affordable housing position has actually having worsened since the hearing sessions following the 28 November announcement of new thresholds in the NPPG.
- 1.32 The Council's response to this is to simply rely upon improving market conditions (that cannot be guaranteed) in combination with a new exceptions policy for 100% affordable housing schemes (which traditionally deliver very few affordable units).
- 1.33 This response is clearly inadequate and provides no assurances that Local Plan Part 2 will deliver anywhere near enough affordable housing to meet even the out-of-date Core Strategy needs let alone those identified in the PUSH SHMA.
- 1.34 We maintain that additional sites such as Land South of Oakcroft Lane should be allocated in Local Plan Part 2 in order to provide certainty that a meaningful proportion of affordable housing can be delivered.

**Appendix 1: Eastleigh Borough Council
Local Plan Inspector's
preliminary findings**