



**FAREHAM BOROUGH COUNCIL
LOCAL PLAN PART 2
DEVELOPMENT SITES AND POLICIES PLAN**

ISSUE 7: HOUSING ALLOCATIONS

REPRESENTATION DREP 398

LAND AT PEAK LANE NURSERIES

FOR EDWARD VINSON PLANTS LTD (MR S FIGGIS)

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October 2014

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1.0 Response to Inspector's Question 7.1

Bearing in mind the legal judgement referred to in my Questions 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?

1.1 The housing requirement for the LPP2 is not considered to be 'sound' because it does not address the shortfall arising from the provisions of the Welborne Plan. Additional land should be made available for development within the remaining part of the Borough covered by the LPP2 to ensure that jointly the Welborne Plan and the LPP2 can meet the provisions of the Local Plan Part1/Core Strategy.

1.2 It is evident from the judgment of Mr Justice Lewis the two development plan documents, the Welborne Plan and the LPP2 must have regard to the adopted Core Strategy. The relationship of the development plan documents is made clear in paragraph 61 of the judgment.

"The statutory framework recognises that a development plan may be comprised of a number different development plan documents. Sections 19(2)(h) of the 2004 Act provides that a local planning authority preparing a development plan document must have regard to any other local development document (which will include a development plan document). Thus where, as here, the Defendant has an adopted development plan document in the form of a Core Strategy, it must have regard to that in preparing a subsequent development plan document. The inspector, on examination, will need to ensure, amongst other things, that that requirement has been met (see section 20(5)(2) of the 2004 Act)."

1.3 The Inspector must be satisfied that the Council in preparing the Welborne Plan and LPP2 has had regard to the Core Strategy. Indeed Regulations 8(4) and (5) of section 38(5) of the Planning and Compulsory Purchase Act 2004 provide:-

**"(4) Subject to paragraph (5) the policies contained in the local plan must be consistent with the adopted development plan
(5) When a local plan contains a policy that is intended to supercede another policy in the adopted development plan, it must state that fact and identify the superceded policy."**

1.4 The policies of the Welborne Plan are not consistent with those of the adopted Core Strategy. The LPP2 should make good the deficiency.

2.0 Response to Inspector's Question 7.2

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

2.1 The Joint Opinion recognizes, at paragraph 2 that:-

"The Fareham Local Plan is intended to consist of three parts, namely: (i) Local Plan Part 1: Core Strategy ("the Core Strategy"); (ii) Local Plan Part 2: Development sites and Policies ("the DSP"); and (iii) the Welborne Plan."

2.2 It appears to me that both the LPP2 and the Welborne Plan must jointly satisfy the provisions of the Core Strategy. Thus where one plan fails to make adequate housing provision the other should make good. The deficiency of provision at Welborne should be addressed by the LPP2. The Welborne housing figures should not be ring fenced.

2.3 Please refer also to the Objection re Duty of Cooperate prepared by Bryan Jzeph and submitted under Issue 1.

Questions 7.3

No response

3.0 Response to Inspector's Question 7.4

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

3.1 The South Hampshire Strategy is a non-statutory document that provides guidance on the future housing needs for the area. It has relevance in demonstrating that pressure for housing is increasing and not decreasing. In the context of the Core Strategy and the other parts of the Local Plan its revised figures have little, if any weight at this stage. There is no provision within the statutory framework to incorporate its findings other than by updating the Core Strategy.

4.0 Response to Inspector's Question 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:-

- 4.1 This question starts from the presumption that deficiency in housing provision may arise from the non-delivery of some sites. Whilst that may be the case there are arguments that additional sites are required to make good a quantum of housing not being met at Welborne but which is provided for in the Core Strategy.

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- 4.2 The site of Peak lane Nurseries extends to approximately 3.5 hectares and has capacity for in the region of 100 dwellings. The site adjoins the existing urban area to the south which forms part of the settlement of Stubbington. This settlement is identified in the Core Strategy as a settlement in which development will be focused (CS6)
- 4.3 The site is located outside the urban settlement boundary and within the Strategic Gap. The boundaries of both these designations are due for review under Local plan Part 2.
- 4.4 The site is currently in use for horticultural purposes. It has three large glass houses on the site totaling approximately 11598 sqm of glass together with other buildings which service the business activity.
- 4.5 The site is sustainably situated being just 1.5km from the centre of Stubbington village which offers a range of shops and services including doctors, dentists, schools, a community centre and arrange of shops. The site is served by a regular bus service from a bus stop 0.2km from the site.
- 4.6 Access to the site is from Mays Lane. The existing access is used by lorries which service the nursery and other buildings on the site.
- 4.7 There are no topographic features which would inhibit development and the site is flat. There is already some screening of the site on two sides but the glasshouses are very visible from Peak Lane.
- 4.8 The site lies within flood Zone 1 and no flooding issues are anticipated.
- 4.9 The land is specifically excluded from the notation identifying “important Brent geese and wader sites”. This notation covers land to the west north and east of the nursery site.
- 4.10 The LPP2 currently shows the site as within the defined Strategic Gap. It should be noted that approximately 75% of the site is under glass. The glasshouses are expansive buildings which are notable features where they are unscreened. The redefinition of the Strategic Gap to exclude these buildings from the Gap would be appropriate and is sought.

- 4.11 The redevelopment of this site for housing would provide the opportunity for a landscape buffer on the alignment of the revised Strategic Gap boundary.
- 4.12 The land is in a single ownership and is considered to be deliverable.