



Date 24 October 2014

Claire Jones-Hughes
Programme Officer
c/o Banks Solutions
6 Brading Road
Brighton
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Dear Ms Jones-Hughes

**INDEPENDENT EXAMINATION OF THE FAREHAM LOCAL PLAN PART 2: DEVELOPMENT SITES AND POLICIES PLAN
ISSUE 7: HOUSING ALLOCATIONS INCLUDING ALTERNATIVE SITES FOR CONSIDERATION (DSP40)
WYG FOR PRIVATE LANDOWNER
RESPONDENT REF: DREP399**

I refer to the above matter and confirm that my client wishes to be included within the list of participants for the Hearing Session for Issue 7 of the Independent Examination of the Local Plan Part 2: Development Sites and Policies Plan to take place on 18th November 2014.

I will be representing my client at the Hearing Session.

I set out below our response to the relevant Inspector's 'Issues and Questions' document, September 2014.

I confirm that our previous written submissions relating to the Publication Version of the Local Plan Part 2 remain valid and request that the comments below are read in conjunction with our previous statements.

Question 7.1

The Council's approach towards the identified housing requirement is not considered to be sound.

The Local Plan Part 2 has not been prepared in accordance with the NPPF, as it has sought to introduce housing numbers from the South Hampshire Strategy 2012, which are not based on "objectively assessed needs" (Paragraph 47 of the NPPF). In addition, the ring-fencing of housing numbers at Welborne, is also not in accordance with the NPPF as no homes have been delivered here, and only 53% of the Core Strategy housing requirement at Welborne is anticipated to be delivered over the plan period 2006-2026, which is restricting other sustainable sites coming forward to meet this requirement.

We have read the Gladman Development Ltd Vs Wokingham BC decision and the Council's response to the decision, and we note that the role of the Local Plan Part 2 is not to determine housing provision for the area.

However, the Council in its Joint Opinion admits at Paragraph 41 that the Core Strategy housing requirement alone is not the correct basis for seeking to allocate development sites, and some recognition of the significant increase in "objectively assessed housing needs" demonstrated by the Strategic Housing Market Assessment 2014 is now required.





We agree that the Core Strategy housing numbers are out-of-date, as they were adopted before the introduction of the NPPF and rolled forward from the abolished South East Plan. Moreover, the Local Plan Review is not going to be adopted until Spring/Summer 2018 (Local Development Scheme, September 2014), which is 7 years after the adoption of the Core Strategy and outside of the 5 years recommended for the test of soundness in accordance with National Planning Practice Guidance (Reference ID: 12-008-20140306).

Moreover, the Council itself has replaced the Core Strategy housing requirement from 2011-2026 with the South Hampshire Strategy housing requirement for the Borough, which demonstrates that the Core Strategy figure is out-of-date.

Some flexibility in allocating housing sites is required, and there are two bases that can be used - 1) The 2014 PUSH SHMA, 2) the under-delivery at Welborne.

The 2014 PUSH SHMA identified a housing need for 395 dwellings per annum, which is more than double the current Core Strategy requirement of 186 dwellings per annum. This document is the latest and only assessment of "objectively assessed needs for market and affordable housing" for Fareham Borough. Indeed, the PUSH SHMA at paragraph 8.79 states that to deliver the affordable housing need for the Borough an overall need for 480-500 dwellings per annum would be required. This demonstrates that the housing needs is likely to increase, but we agree that the 395 dwellings per annum is an appropriate starting point for allocating additional sites within the Borough, especially sustainable Greenfield opportunities in the absence of the Local Plan Review. The SHMA requirement for 395 dwellings per annum covers the period 2011-2036, so it is logically to apply this annual requirement over the period 2011-2026, creating an additional need of 5,925 dwellings.

As an alternative, the under-provision at Welborne which is 2,490 dwellings over the development plan period to 2026, could be re-distributed through new allocations across the remainder of the Borough. This strategy would be in conformity with the Core Strategy, as the housing numbers are stated in the plan, and it would help to meet the sub-regional housing requirement, especially the housing need in Southampton, Portsmouth and Fareham. The only drawback from this approach is that it does not represent "objectively assessed needs".

Our preference would be to use the PUSH SHMA 2014 figures, as this represents "objectively assessed needs" in compliance with the NPPF. Where this approach is not deemed to be appropriate, the under-provision at Welborne should be used.

In either case, it is important to recognise that the housing needs position is set to increase, but we do not necessarily have to determine the precise figures within the Local Plan Part 2, in order to be in conformity with the Core Strategy: Local Plan Part 1.

Failure to allocate sites on either of these bases would be contrary to the objectives of the NPPF to boost significantly the supply of housing (Paragraph 47).

Question 7.2

The Council is seeking to 'ring-fence' the housing requirement at Welborne, which clearly conflicts with the NPPF's objective to boost significantly the supply of housing. This is because the Core Strategy requirement of between 5,350 dwellings to be delivered over the development plan period of 2006-2026 is going to fall significantly short. The housing delivery rate as set out in the draft Local Plan Part 3 shows that only 2,860 dwellings are anticipated to be developed by 2026, which is a shortfall of 2,490 dwellings.



There is no mechanism within the Local Plan Part 2 to redistribute this shortfall across sustainable sites within the remainder of the Borough.

In addition, there is no articulation of the how the housing numbers at Welborne relate to the housing requirements of Fareham Borough Council, Portsmouth City Council, Southampton City Council and other local authorities in the PUSH area, so it is difficult to understand what quantum of Fareham local housing need is to be met at Welborne.

Question 7.3

The Council's approach to housing provision is not justified, as it attempts to up-date the out-of-date Core Strategy housing requirement with a 2012 housing requirement figure, both of which do not reflect "full, objectively assessed needs for private and affordable housing" in compliance with the NPPF. The 2014 PUSH SHMA is the latest and only assessment of "objectively assessed needs" and the Council has failed to acknowledge this in the formulation of the Local Plan Part 2.

On a technical point, the Council has included C2 uses within its revision of Table 4, in accordance with National Planning Practice Guidance (NPPG) (Reference ID: 3-037-20140306), but this approach fails to recognise that the need for elderly accommodation under C2 uses, such as care homes is not part of the existing housing requirements for the Borough, nor is it set out within the District housing needs figures within the 2014 PUSH SHMA. This is because the DCLG household projections do not include persons within C2 accommodation. Therefore, where the Council has added C2 uses on the housing supply within Table 4, it should also be added to the housing requirement/need.

If the housing requirement/need is not adjusted for the C2 uses, the result of this would be to reduce the C3 housing requirement/need by the equivalent number of C2 completions, and create an under-provision of private and affordable housing.

Table 4 should be amended to reflect either the 2014 PUSH SHMA housing need figures for Fareham Borough or the under-delivery at Welborne, as well as the adjustment for C2 uses Please see the amended Table 4 below.

Although, the 2014 PUSH SHMA shows a deficit of 729 dwellings, it can be argued that Welborne's delivery of housing up to 2026 of 2,860 homes is delivering a proportion of Portsmouth's and/or Southampton's housing need plus other local authorities, and therefore the deficit is likely to be well over one thousand homes under this scenario.

The amended Table 4 demonstrates that Fareham Borough Council need to allocate additional housing sites within the Borough, including my client's site at Posbrook Lane, Titchfield.



Table 4: Housing Delivery Overview (2006-2026) – Amended (Requirement/Need)

Source	Number of Dwellings (net)		
Housing requirements			
	South Hampshire Strategy (2011-2026)	Core Strategy 3,729 plus 5,350 dwellings at Welborne (2006-2026)	2014 PUSH SMHA (2011-2026)
Strategy Requirements	2,200	9,079	5,925
Plus C2 Need (to mirror C2 Completions)	151	151	151
Housing Completions			
1 April 2006 – 31 March 2013		2,665	
1 April 2011 – 31 March 2013	664		664
Outstanding Requirement for Plan Period at 1 April 2013	1,687	6,565	5,412
Projected housing supply 1 April 2013 – 31 March 2026			
Core Strategy Allocation at Coldeast	240	240	240
Planning permissions (in progress)	359	359	359
Planning permissions (not started)	139	139	139
Allocations rolled forward from existing Local Plan	370	370	370
New Allocations (including Town Centre Development Opportunity Area)	615	615	615
Projected Windfall	100	100	100
Welborne (Housing Trajectory)*	-	2,860	2,860
Total projected housing supply	1,823	4,683	4,683
Projected surplus/deficit (1 April 2013 – 31 March 2026)	+287	-1,882	-729

*Draft Welborne Plan Submission Version, April 2014

Question 7.4

The principle of updating the Core Strategy housing requirement figure is one that we support, but little, if any weight should be given to the South Hampshire Strategy 2012, as it is a non-statutory document that sets out housing requirements for Fareham Borough and the other local authorities that are not based on an assessment of “full, objectively assessed needs for private and affordable housing” as advocated by the NPPF.



Question 7.5

As previously set out in our representation, we have major reservations with the deliverability and viability of several key sites proposed by the Council in its site allocations. The Knight Frank report 'Viability Assessment of Site Allocations' (August 2013) was clear in its advice to the Council that a number of sites within the town centre are not viable for private market flats, and that this position is unlikely to change for the foreseeable future. The sites that are identified within the Knight Frank report with viability issues (as documented within the summary table at paragraph 4.52 of the report) are:

- **Civic Area/Market Quay** – *"viable for uses such as retail, hotel and care home but flats are not viable"*;
- **Fareham Station West** – *"viable for care home only"*;
- **Maytree Road** – *"viable for a solus retail store, but residential is marginal"*.

In relation to the Civic Centre/Market Quay regeneration scheme, this is predicated on funding for a new Arts Centre to replace the theatre and library, and the re-provision of car parking from Market Quay. This is a complex project with a significant funding gap. In recognition of this complexity the Knight Frank report suggests that the any housing should be defined as 'windfall'. Also, since the publication of the Knight Frank report the Maytree Road site is now occupied by a retail use and the existing building has been refurbished.

In addition, there are three sites that have been identified with low prospects for development due to landownership and ecological constraints. Two of the sites are housing allocations rolled forward from the Local Plan Review 2000, although it is questionable whether these sites will ever come forward, especially as they were not developed during the prosperous economic period of 2000-2007. The sites are:

- **East of Raley Road, Locks Heath** – allocated in the 2000 Local Plan Review for housing, and split into three land ownerships.
- **Land at Heath Road, Locks Heath** – allocated in the 2000 Local Plan Review as a Site of Nature Conservation Value, and split into three land ownerships, with one of the parcels unregistered. It appears that more than 50% of the site is covered by Tree Preservation Orders, which limits the developable area.
- **Land at Fleet End Road, Warsash** – allocated in the 2000 Local Plan Review for housing, and split into four land parcels. The Knight Frank report states that a land agreement is required to bring the site forward comprehensively.

These six sites should therefore not be relied upon to deliver any housing within the plan period up to 2026. Where, for example care homes are developed, as in the case of Fareham Station West, the equivalent number of units should be added to the housing requirement to ensure consistency (see technical point under Question 7.3).

Table 4 has been adjusted to discount the housing numbers allocated for each site as presented in the draft Local Plan Part 2 at Appendix C:

- Civic Area = 90 dwellings
- Market Quay = 60 dwellings
- Fareham Station West = 110 dwellings
- Maytree Road = 20 dwellings
- East of Raley Road = 50 dwellings
- Land at Heath Road = 70 dwellings
- Land at Fleet End Road = 10 dwellings
- **Total = 410 dwellings**



The results as presented in the amended Table 4 below shows that the deficit in relation to the Core Strategy/Welborne requirement is 2,292 dwellings and for the 2014 PUSH SMHA position the deficit is 1,139 dwellings. Again, the 1,139 deficit is likely to be higher as 100% of the Welborne supply to 2026 is accounted for within the Table, without any apportionment for neighbouring local authorities.

Table 4: Housing Delivery Overview (2006-2026) – Amended (Requirement/Need and Supply)

Source	Number of Dwellings (net)		
Housing requirements			
	South Hampshire Strategy (2011-2026)	<i>Core Strategy 3,729 plus 5,350 dwellings at Welborne (2006-2026)</i>	<i>2014 PUSH SMHA (2011-2026)</i>
Strategy Requirements	2,200	9,079	5,925
Plus C2 Need (to mirror C2 completions)	151	151	151
Housing Completions			
1 April 2006 – 31 March 2013		2,665	
1 April 2011 – 31 March 2013	664		664
Outstanding Requirement for Plan Period at 1 April 2013	1,687	6,565	5,412
Projected housing supply 1 April 2013 – 31 March 2026			
Core Strategy Allocation at Coldeast	240	240	240
Planning permissions (in progress)	359	359	359
Planning permissions (not started)	139	139	139
Allocations rolled forward from existing Local Plan	240	240	240
New Allocations (including Town Centre Development Opportunity Area)	335	335	335
Projected Windfall	100	100	100
<i>Welborne (Housing Trajectory)*</i>	-	2,860	2,860
Total projected housing supply	1,413	4,273	4,273
Projected surplus/deficit (1 April 2013 – 31 March 2026)	-274	-2,292	-1,139

*Draft Welborne Plan Submission Version, April 2014

This significant shortfall demonstrates that other sites should be allocated in the Local Plan Part 2, including my client's site at Posbrook Lane, Titchfield. The site is within one ownership and available for development. A red-line boundary plan of the site is presented at Appendix 1.

The site is highly sustainable given its proximity to shops and services in Titchfield, Titchfield Primary School, and wider employment and retail facilities within Fareham town centre.



The site has not been assessed within the Sustainability Appraisal, and a complete revision to the Sustainability Appraisal is now needed in light of the increase in housing need.

Question 7.7

Policy DSP40 does not provide sufficient flexibility to accommodate changing circumstances, including a significant increase in housing need or the lack of delivery of certain sites. The Policy is designed to be rigidly applied to sites within the settlement boundaries with no criteria-based assessment for sustainable sites adjacent to settlement boundaries.

Moreover, there is no mechanism to address the under-delivery of housing at Welborne. The number of dwellings at Welborne has been reduced from the allocation in the former South East Plan of 10,000 down to 2,860 dwellings now set out in the draft Local Plan Part 3: Welborne Plan. This reduction of 7,140 dwellings or 71% is a significant loss and neither Fareham Borough Council nor the local authorities in the PUSH appear to be accountable for this loss, as there is no requirement for them to re-distribute this housing.

Welborne should not be 'ring fenced' and the Council should have to meet this shortfall with sustainable housing allocations outside of the existing settlement boundaries. The recent East Hampshire Joint Core Strategy attempted to 'ring fence' the housing numbers at Whitehill & Bordon, which is also a Strategic Development Area with a requirement to deliver 4,000 dwellings. The Inspector at the Examination for the Joint Core Strategy rejected the Council's approach and instructed an up-to-date SHMA to be prepared and ensure that the wording within the Joint Core Strategy made it clear the distribution of housing needs related to the District as a whole without any exclusion for strategic allocations, such as Whitehill & Bordon. Therefore, it was made clear that where the total housing numbers for the District are not met, including Whitehill & Bordon, any shortfall can be delivered on appropriate sites anywhere in East Hampshire.

Conclusions

The Local Plan Part 2 is deemed to be unsound in relation to the following:

- Paragraphs 1.8, 5.173-5.174
- Tables 4 and 8
- Policy DSP40
- Chapter 7
- Appendix C
- Proposals Map

The Plan fails the key tests of soundness as follows:

- **Positively prepared** – No, because it does not seek to meet "objectively assessed needs for market and affordable housing", and therefore sites outside of the existing settlement boundaries have not been duly assessed.
- **Justified** – No, because the Council has ignored the latest and only objectively assessed needs assessment of the Borough. In addition, there is an absence of strategy to deal with the under-delivery at Welborne. A number of sites proposed to be allocated are unlikely to be delivered over the plan period, as they have low prospects of development due to issues of landownership, on-site constraints, and financially viable.



- **Effective** – No, because the ring-fencing of Welborne and the proposed allocation of some housing sites is leading to an under-delivery of housing for Fareham and the sub-region, especially as sites outside of the settlement boundaries are not assessed.
- **Consistent with National Policy** – No, because it seeks to allocate sites based on the housing numbers as set out in South Hampshire Strategy 2012, and this does not reflect 'objectively assessed needs' (Paragraph 47). The Core Strategy housing figures pre-date the NPPF and are out-of-date as the Local Plan Review will not be in place until 2018, 7 years after the adoption of the Core Strategy, and not in accordance with the NPPG. The shortfall in housing is also not boosting significantly the supply of housing in the Borough and therefore also contrary to the NPPF (Paragraph 47).

The Plan can be made sound, where the Council adopts the SHMA 2014 housing figures for Fareham at 395 dwellings per annum for the period 2011-2026 which totals 5,925 dwellings, or alternatively the under-provision at Welborne over the development plan period from 2006-2026 of 2,490 dwellings. One of these two bases should be used to allocate housing sites.

The Plan needs complete change, including the parts as itemised above in terms of the housing figures and my client's site should be included within the Development Site Briefs in Chapter 7 and associated Tables. The settlement boundary also needs to be redrawn on the Proposals Map to include the Land at Posbrook Lane, Titchfield.

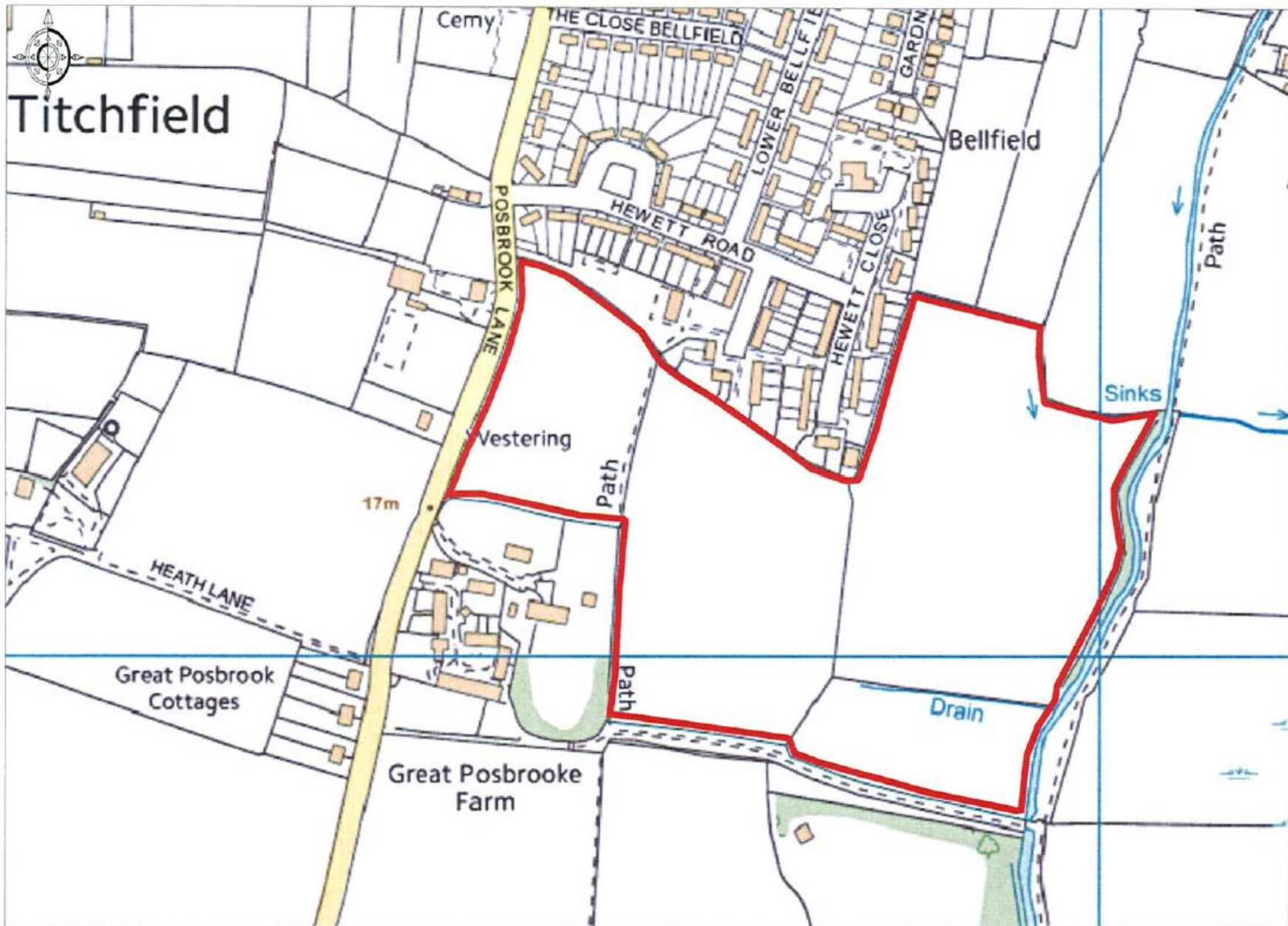
Yours sincerely

A handwritten signature in black ink, appearing to read 'CH Hemmings', written over a light blue circular stamp.

Christopher Hemmings
Associate Director
For and on behalf of WYG



APPENDIX 1: RED-LINE BOUNDARY OF POSBROOK LANE SITE AT TITCHFIELD



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APPENDIX 2: AMENDMENT TO THE SETTLEMENT BOUNDARY AT TITCHFIELD

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creative minds safe hands

INSET 6

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