



Date 24 October 2014

Claire Jones-Hughes
Programme Officer
c/o Banks Solutions
6 Brading Road
Brighton
BN2 3PD

Dear Ms Jones-Hughes

INDEPENDENT EXAMINATION OF THE FAREHAM LOCAL PLAN PART 2: DEVELOPMENT SITES AND POLICIES PLAN
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
WYG FOR COASTAL WATERWATCH LTD
RESPONDENT REF: DREP411

I refer to the above matter and confirm that my client is included in the list of participants for the Hearing Session for Issue 1 of the Independent Examination of the Local Plan Part 2: Development Sites and Policies Plan to take place on 11th 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 1.1

Firstly, the Local Plan Part 2 has to be discussed and examined in the context of Local Plan Part 3 (Welborne Plan), as the two are inextricably linked.

As previously presented in our representation to the Publication Version of the Local Plan Part 2 Fareham Borough Council has not complied with the 'duty to co-operate'. This is because there is a lack of transparency on how the housing numbers are derived between the local authorities within the PUSH area, especially as they are based on the South Hampshire Strategy 2012, which does not reflect "full, objectively assessed needs" in compliance with the NPPF (Paragraph 47). This position is confirmed by the Council's in its Joint Opinion (7 August 2014) at Paragraphs 7 and 32.

The Council's statement on duty to co-operate for the Local Plan Part 2 and the PUSH 'South Hampshire Authorities – Fulfilling the Duty to Co-operate' do not provide adequate detail on how the housing numbers at Welborne are derived i.e what proportion of the requirement is Fareham Borough Council's and what proportion is Portsmouth City Council's, Southampton City Council's etc. In addition, the Core Strategy allocation at Welborne (North Fareham SDA) of 5,350 dwellings over the plan period 2006-2026, has now decreased to just 2,860 dwellings, a fall of 2,490 dwellings. The Inspector at the Core Strategy Examination that took place in 2011 stated that "*Nevertheless, as already noted, the sub-regional housing requirement applying to the SDA will necessarily have a Borough-based component. It is therefore possible that, subject to further sub-regional analysis of housing provision and future refinement of the*



likely levels of housing delivery in the SDA through work on the AAP, the reduced scale of the SDA may imply an increased need for new housing in the remainder of the Borough” (Paragraph 29 of the Inspector’s Report).

There appears to have been no dialogue between the local authorities within the PUSH area on how to address this under-provision, including the re-distribution of this housing need across Fareham and the wider South Hampshire area over the development plan period.

Question 1.2

The cross-boundary strategic priorities include housing provision and the delivery of housing, and the current Local Plan Part 2 is lacking in the articulation of the link between Welborne and the housing requirement in the sub-region and the strategy for addressing the under-delivery at Welborne and the implications for the rest of the Borough.

We do not agree that the housing requirement at Welborne should be ‘ring-fenced’ as this is demonstrably leading to an under-delivery of housing over the development plan period without any strategy or recourse to address this issue either locally in Fareham or wider in the PUSH area i.e. housing need is disappearing without Fareham Borough Council or other local authorities in PUSH being accountable for this loss.

Question 1.3

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”. 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 need 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 logical to apply this annum requirement over the period 2011-2026, creating a housing 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 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 1.4

In light of the need to plan positively for increased housing numbers in excess of the out-of-date Core Strategy housing requirement, the Sustainability Appraisal needs to be revised accordingly.

My client’s site is located partially within and partially outside of the settlement boundary. The site has been assessed within the Sustainability Appraisal. The results of the Sustainability Appraisal clearly shows that the 69 Botley Road site is sustainable, as the scoring criteria shows 7 positive scores, 3 neutral scores and 1 negative score. Only three of the draft housing allocations perform better than 69 Botley Road under the criteria. This demonstrates clearly that the site is sustainable.

Question 1.6

The relationship between the Local Plan Part 2 and the Core Strategy is not clear or consistent as it attempts to introduce housing figures from the South Hampshire Strategy 2012, which are not compliant with the NPPF, as they do not reflect “objectively assessed needs”.

Bearing in mind, the Local Plan Part 2 and Local Plan Part 3 are being prepared to conform with the NPPF, there is an inherent lack of strategic thought and articulation between all three documents to address the lack of housing delivery at Welborne and the implications for this lack of delivery to meet housing needs, especially in the context of the 2014 PUSH SMHA.

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

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.
- **Effective** – No, because the ring-fencing of Welborne is leading to an under-delivery of housing for Fareham and the sub-region, and the duty to co-operate has not been complied with as the apportionment of the housing numbers is not transparent.
- **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”. 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. The Proposals Map would also need to be amended to include my client’s site within the settlement boundary.

Yours sincerely



Christopher Hemmings
Associate Director
For and on behalf of WYG